

# JOURNAL OF THE HOUSE.

Thursday, December 29, 2016.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### Guest of the House.

Daniel Roy.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Daniel Roy of Weymouth. He was accompanied by his mother Mary Roy. At the invitation of the Chair, Daniel led the members, guests and employees in the reciting of the pledge of allegiance to the flag. They were the guests of Mr. Murphy of Weymouth.

### Communication.

Gender equity working group.— report status.

A communication from the Commissioner of the Division of Insurance submitting a status report on behalf of the Working Group on Gender Equity in Disability Policies (see Section 173 of Chapter 133 of the Acts of 2016) indicating that said working group will not be able to file its report by the reporting deadline of December 31, 2016, was placed on file.

### Monthly Report.

Unemployment Insurance Trust Fund.— December, 2016.

A monthly report of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for December, 2016, was placed on file.

### Papers from the Senate.

#### Bills

Shalonda Hall.— sick leave.

Establishing a sick leave bank for Shalonda Hall, an employee of the Department of Public Health (Senate, No. 2519) (on a petition);

Frederick Douglass.

Further regulating the establishment of Peace Day and establishing February 20 as Frederick Douglass Day (Senate, No. 2525) (on Senate bill No. 1655); and

Westhampton.— liquor licenses.

Authorizing the town of Westhampton to grant a license for the sale of wines and malt beverages to be drunk on the premises (Senate, No. 2526) (on Senate bill No. 2413) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matters be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

### Reports of Committees.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following Senate bills be scheduled for consideration by the House:

Establishing an arts, culture and tourism promotion fund in the city of New Bedford (Senate, No. 2500, amended) [Local Approval Received]; and

New Bedford.

Establishing a sick leave bank for Kristine Schneider, an employee of the Department of Transitional Assistance (Senate, No. 2510, amended);

Kristine Schneider.— sick leave.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to risk management and own risk and solvency assessment (Senate, No. 2517), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Risk management.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to further define standards of employee safety (Senate, No. 2190, amended), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4779. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Employee safety.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2190, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to recycling (Senate, No. 2389), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4780. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recycling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

Recycling. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2389, amended) was ordered to a third reading.

Education collaboratives. By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to education collaboratives (House, No. 457), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4782). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Iqbal Shahzad,—sick leave. By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Iqbal Shahzad, an employee of the Department of Public Health (House, No. 4777). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Zero emission vehicles. By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill promoting zero emission vehicle adoption (Senate, No. 2505), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4781. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Orders of the Day.*

John M. Greaney Courthouse. The Senate amendment of the House Bill designating the Westfield division of the district court of western Hampden as the John M. Greaney Courthouse (House, No. 1642), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Gary Sibilia and David Gendron. The Senate amendment of the House Bill authorizing the town of Deerfield to continue the employment of police officers Gary Sibilia and David Gendron (House, No. 4263, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Grafton,—civil service. The Senate amendment of the House Bill exempting officers in the town of Grafton Police Department from the civil service law (House, No. 4603), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Senate bills  
Relative to the appointment of assistant city clerks in the city of Gardner (Senate, No. 2002); and  
Authorizing the town of Spencer to issue certain bonds for terms of 30 years (Senate, No. 2300, amended);  
Severally reported by the committee on Bills in the Third reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills  
Relative to membership in regional transit authorities (House, No. 3028); and  
Establishing a sick leave bank for Ronald Friel, an employee of the Department of Developmental Services (House, No. 4773) (its title having been changed by the committee on Bills in the Third Reading);  
Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill relative to serving wine in private clubs (Senate, No. 2244, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“The third paragraph of section 12 of chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following 5 sentences:—

A member of a club licensed under this section may bring wine to be consumed on the premises with a meal purchased at the club, unless the club objects, which it may do at its sole discretion. At all times the club shall control the handling, serving and dispensing of wine in accordance with this chapter and may refuse to pour wine for any patron for any or for no reason, regardless of whether bottles are opened or unopened. Unopened bottles shall be returned to the patron who shall remove them from the premises at the conclusion of the event, and open bottles shall be returned and resealed in accordance with regulations promulgated by the commission and transported in a manner authorized in section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90. The club shall set and charge a reasonable corkage fee, which shall be added to the member’s meal expense. Such fee shall be set at no less than \$30 and shall be applied to each bottle of wine that is opened.”

The amendment was adopted; and the bill (Senate, No. 2244, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The Senate Bill directing the commissioner of Capital Asset Management and Maintenance to convey a certain of land to the Salem Redevelopment Authority (printed as House, No. 2837, amended) (its title having been changed by the committee on Bills in the Third

Third reading bills.

Private clubs,—alcoholic beverages.

Salem Redevelopment Authority.

Salem  
Redevelopment  
Authority.

Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Speliotis of Danvers moved to amend it in section 1, in line 8, by inserting after the word "respectively." (as published) the following two sentences: "Upon conveyance of the property herein and as a condition thereof, the Salem Redevelopment Authority shall simultaneously create a condominium estate, or other real estate holding interest determined to be satisfactory by the secretary of the commonwealth, and transfer ownership thereof to the commonwealth under the care, custody and control of the secretary of the commonwealth. Said condominium estate or other real estate holding interest, determined satisfactory by the secretary of the commonwealth, shall consist of the superior courthouse library, the 3 court rooms and the clerk's office comprising of approximately 18,000 to 20,000 square feet of space for the Essex south registry of deeds, in exchange for which the secretary of the commonwealth shall make annual payments to the Salem Redevelopment Authority or their designee, in an amount determined annually at the discretion of the secretary to be commensurate with the cost of constructing or leasing said space."

The amendment was adopted; and the bill (printed as House, No. 2837, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Falmouth,—  
John  
Busby.

The House Bill relative to the retirement benefits of retired police officer John R. Busby, Jr. of the Falmouth police department (House, No. 4476), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in line 4, by inserting after the words "equal to" the following: "80 per cent of".

The amendment was adopted; and the bill (House, No. 4476, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Greenfield,—  
voters.

The House Bill relative to the board of registrars of voters in the city known as the town of Greenfield (House, No. 4697), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4783), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Greenfield,—  
referendum.

The House Bill relative to referendum procedures in the city known as the town of Greenfield (House, No. 4698), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4784), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to initiative petitions in the city known as the town of Greenfield (House, No. 4699), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Greenfield,—  
initiative  
petitions.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4785), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill increasing the number of licenses for the sale of wines and malt beverages in the city of Medford from twenty five to forty (House, No. 4769), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Medford,—  
liquor  
licenses.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a Bill authorizing the city of Medford to grant 15 additional licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 4786), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Leah Reed, an employee of the Department of Developmental Services (House, No. 4771), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Leah  
Reed,—  
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4771, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Ruth Derfler, an employee of the Department of Elementary and Secondary Education (see House, No. 4750), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Ruth  
Derfler,—  
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Kirsten Parisi,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Kirsten Parisi, an employee of the Commission for the Blind (see House, No. 4768, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Deborah McNamara,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Deborah McNamara, an employee of the Department of Conservation and Recreation (see House, No. 4772), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

*Engrossed Bills and Resolve.*

Engrossed bills

Bills enacted.

Relative to the appointment of assistant city clerks in the city of Gardner (see Senate, No. 2002);

Authorizing the town of Spencer to issue certain bonds for terms of 30 years (see Senate, No. 2300, amended);

Providing for recall elections in the town of Hawley (see Senate, No. 2322, amended);

(Which severally originated in the Senate);

Designating the Westfield division of the District Court of Western Hampden as the John M. Greaney Courthouse (see House, No. 1642, amended);

Authorizing the town of Deerfield to continue the employment of police officers Gary Sabilia and David Gendron (House, No. 4263, amended);

Authorizing the city of New Bedford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4306, amended); and

Exempting officers in the town of Grafton Police Department from the civil service law (see House, No. 4603, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Resolve passed.

The engrossed Resolve establishing a special commission to preserve Polish heritage in the Pioneer Valley (see House, No. 4562, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

*Recess.*

At fourteen minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at thirteen minutes before three o'clock P.M., the House was called to order with Mr. Donato in the Chair.

*Order.*

On motion of Mr. DeLeo of Winthrop,—  
*Ordered,* That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M. Next sitting.

At eighteen minutes after three o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.