

JOURNAL OF THE HOUSE.

Thursday, January 5, 2017.

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).

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. Pledge of
allegiance.

Silent Prayer.

At the request of Mr. Diehl of Whitman, the members, guests and employees stood in a moment of silent tribute to the memory of the Honorable Edward (Ned) Paul Kirby from Whitman who passed away on January 3, 2017. Edward
(Ned)
Paul
Kirby.

A life-long Whitman native and Korean War veteran, he was the youngest Republican in the House when he was first elected to the House of Representatives, serving from 1961 to 1966, inclusive.

Mr. Kirby served as Plymouth County Commissioner from 1969-1976 and founded the Plymouth County Development Council. He later served 6 terms in the Massachusetts State Senate, from 1981 to 1992, inclusive, and held the post of Assistant Minority Leader.

Senator Kirby was appointed Administrative Law Judge during the Weld administration and was an Appeals Judge in workers compensation.

He leaves behind his beloved wife of 59 years, Mary Alice, and their three children: Jane, Matthew and Thomas.

Communication from the Minority Leader.

January 5, 2017.

Steven T. James, *Clerk*
House of Representatives
State House, Room 145
Boston, MA 02133

Dear Mr. Clerk:

Please be advised that, at a Republican Caucus held on Wednesday, January 4, 2017 in hearing room B-2, with all thirty-five (35) members present, I, Bradley H. Jones, Jr. was re-elected as Minority Leader. Election of
Minority
Leader.

Please contact me should you have any questions. Thank you.

Sincerely,

BRADLEY H. JONES, JR.,
Minority Leader.

The communication was read; and placed on file.

Resolutions.

Resolutions (filed with the Clerk) were considered, under suspension of the rules, in each instance, on motion of Mr. Stanley of Waltham, and they were adopted, as follows:

Evan Gavrilles.

Resolutions (filed by Representatives Dooley of Norfolk and Garlick of Needham) congratulating Evan Philip Gavrilles on receiving the Eagle Award of the Boy Scouts of America;

Matthew Adiletta.

Resolutions (filed by Ms. Hogan of Stow) congratulating Matthew J. Adiletta on achieving the rank of Eagle Scout of the Boy Scouts of America;

John Gaffney.

Resolutions (filed by Ms. Hogan of Stow) congratulating John Gaffney on achieving the rank of Eagle Scout of the Boy Scouts of America;

Nathan Hanlon.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Nathan James Hanlon on receiving the Eagle Award of the Boy Scouts of America;

Noah Burke.

Resolutions (filed by Mrs. O'Connell of Taunton) congratulating Noah Burke on receiving the Eagle Award of the Boy Scouts of America;

Barbara Miranda.

Resolutions (filed by Mr. Rogers of Cambridge) congratulating Barbara Miranda on her retirement; and

Ann Lambert.

Resolutions (filed by Mr. Rushing of Boston) congratulating Ann K. Lambert on her retirement.

Special Communication.

The following communication, together with the returns of the votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

January 5, 2017.

To the Honorable Senate and House of Representatives:

Secretary of the Commonwealth,— returns of votes.

I have the honor to lay before you the returns of votes cast at the election held in this Commonwealth on the eighth day of November, 2016, for Councillors in the several districts, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives as required by the Constitution and General Laws.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

The communication was placed on file.

Order.

On motion of Mr. Kafka of Stoughton,—

Councillors notified of their election.

Ordered, That, the Secretary of the Commonwealth notify Joseph C. Ferreira of Somerset, Robert L. Jubinville of Milton, Marilyn M. Petitto Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Eileen R. Duff of Gloucester, Terrence W. Kennedy of Lynnfield, Jennie L. Caissie

of Oxford and Mary Hurley of East Longmeadow that they have been duly elected Councillors to advise the Governor in the Executive part of the government.

Paper from the Senate.

An order, having been adopted by the Senate, was considered forthwith; and it was adopted, in concurrence, as follows:

Ordered, That a joint committee to consist of members of the Senate and the House of Representatives be appointed for the purpose of canvassing the votes for Councillors in the several districts.

Committee to canvass votes for Councillors.

The order then was adopted, in concurrence.

A committee of the Senate consisting of Senator's Boncore of Suffolk and Middlesex, Hinds of Berkshire, Hampshire, Franklin and Hampden and O'Connor of Plymouth and Norfolk were joined by a committee of the House appointed by the Chair (Mr. Donato) consisting of Representatives Kafka of Stoughton, Speliotis of Danvers and Wong of Saugus.

Subsequently a report of said committee, having been noted in the Journal of the Senate, was read for the information of the House; and it was accepted. The order then was returned to the Senate to be placed on file.

Pursuant to assignment, at eleven minutes before twelve o'clock noon, the two branches met in

Joint Session.

CONVENTION

in the Chamber of the House of Representatives, for the purpose of administering the oath of office to the several Councillors-elect, and were called to order by the Honorable Stanley C. Rosenberg, President of the Senate.

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon the Governor, the Lieutenant-Governor and the several Councillors-elect and inform them that the two branches of the General Court are now in convention for the purpose of administering oaths to the several Councillors-elect required to qualify them for the discharge of the duties of their offices.

Notify Governor.

Senators Cyr of the Cape and Islands, Humason of Hampden and Hampshire, Boncore of Suffolk and Middlesex, Hinds of Berkshire, Hampshire, Franklin and Hampden, O'Connor of Plymouth and Norfolk, and Brownsberger of Suffolk and Middlesex were appointed the committee on the part of the Senate; Representatives Rushing of Boston, Driscoll of Milton, Walsh of Peabody, Orrall of Lakeville, Kafka of Stoughton, Smizik of Brookline and Tyler of Boston were appointed the committee on the part of the House.

Subsequently Mr. Cyr, for the said committee, reported that the Governor, Lieutenant-Governor and the Councillors-elect were duly notified.

At two minutes past twelve o'clock noon, the Governor, the Lieutenant-Governor, the Councillors-elect, entered the Chamber, under the escort of the Sergeant-at-Arms.

Governor, Councillors-elect, et al.

Executive
Councillors,—
oath of office.

Before the President of the Senate, and in the presence of the two Houses of Assembly, the oaths and affirmations of office were then administered to, and subscribed by Joseph C. Ferreira of Somerset, Robert L. Jubinville of Milton, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Eileen R. Duff of Gloucester, Terrence W. Kennedy of Lynnfield, Jennie L. Caissie of Oxford, and Mary E. Hurley of East Longmeadow, as Councillors, at five minutes past twelve o'clock noon.

His Excellency the Governor briefly addressed the Joint Session.

Her Honor the Lieutenant-Governor briefly addressed the Joint Session.

Withdrawal
from
Chamber.

His Excellency the Governor, His Honor the Lieutenant Governor, and the Honorable Executive Council then withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

On motion of Mr. Boncore, at eighteen minutes past twelve o'clock noon, the Convention of the Two Branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

At twenty minutes after twelve o'clock noon, the House reconvened with Mr. Donato of Medford in the Chair.

Orders.

On motion of Mrs. Orrall of Lakeville,—

Governor
notified of
Councillors'
qualification.

Ordered, That, the Secretary of the Commonwealth give notice to His Excellency the Governor that Joseph C. Ferreira of Somerset, Robert L. Jubinville of Milton, Marilyn M. Petitto Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Eileen R. Duff of Gloucester, Terrence W. Kennedy of Lynnfield, Jennie L. Caissie of Oxford and Mary Hurley of East Longmeadow have been duly elected and qualified as Councillors to advise him in the Executive part of the government.

On motion of Mr. Rushing of Boston,—

Prayers
of the
Chaplain.

Ordered, That the Clerk be directed to spread upon the records of the House the daily prayers offered by the duly appointed Chaplain.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Mr. Diehl of Whitman then moved that when the House adjourns today, it do so in respect to the memory of Edward P. Kirby, a member of the House from Whitman from 1961 to 1966, inclusive, Plymouth County Commissioner from 1969 to 1976; and a State Senator from 1981 to 1992, inclusive.

Accordingly, at twenty-four minutes after twelve o'clock noon, on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.