

## JOURNAL OF THE HOUSE.

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Wednesday, January 25, 2017.

Met according to adjournment at eleven o'clock A.M., 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).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving and Compassionate God, we pray for the membership of the House of Representatives and for their hard-working staff. Prayer.

We remember that it was on this day in 1787, 230 years ago, that a large group of farmers from central and western Massachusetts attacked the newly created federal arsenal in Springfield in order to obtain military weapons.

Severely challenged by the poor economy after the war for American independence, bankers and government officials throughout the newly formed United States of America sought to raise needed revenues. One source of revenue was the farming community that was loaned monies during the war and immediately afterward.

Frustrated and desperate farmers, many veterans of the War for Independence, experiencing a sense of powerlessness, joined together under the leadership of Daniel Shays. The farmers eventually decided that only an armed conflict could stop the foreclosures of their properties.

Shays Rebellion, as it came to be called, resulted in the deaths of three farmers. Many historians credit the rebellion with helping to create a stronger federal government.

We remember today the many residents of Massachusetts who work the land. The 7,755 farms of Massachusetts produce almost \$500 million in agricultural products. May this winter's rain and snow eliminate the drought conditions our land is currently experiencing.

May God continue to bless our Commonwealth. Amen.

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.

### *Order.*

Mr. Galvin of Canton, for the temporary committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to the compensation of public officials (House, No. 58) [for order, see House, No. 66]. The order then was adopted. Public officials compensation,—procedures.

### *Recess.*

At eight minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty-two Recess.

minutes after one o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

*Reports of Committees.*

By Mr. Galvin of Canton, for the temporary committee on Rules and the temporary committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of Byron Rushing and Sonia Chang-Diaz for legislation to establish a sick leave bank for Valencia Hadley, an employee of the Department of Transitional Assistance. Under suspension of the rules, on motion of Mr. Rushing of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the temporary committee on Ways and Means.

Valencia Hadley,—sick leave.

Prior to the noon recess (Mr. Donato of Medford being in the Chair),—by Mr. Dempsey of Haverhill, for the temporary committee on Ways and Means, on a joint petition, a Bill relative to the compensation of public officials (House, No. 58) [Representative Dooley of Norfolk dissenting], was read.

Public officials,—compensation.

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

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Dempsey of Haverhill (Mrs. Haddad of Somerset being in the Chair), the bill (having been certified by House Counsel to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mrs. O'Connell of Taunton moved that it be recommitted to the temporary committee on Ways and Means.

Motion to recommit negatived,—yea and nay No. 1.

After debate on the motion to recommit, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 35 members voted in the affirmative and 125 in the negative.

**[See Yea and Nay No. 1 in Supplement.]**

Therefore the motion to recommit was negatived.

Mr. Mirra of West Newbury then moved to amend the bill adding the following section:

“SECTION 51. Section 5 of Chapter 32 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting, after subsection (a), the following new subsection:—

(a ½) State officials, elected to the office by popular vote, on or after April 2, 2012, must, in order to be eligible for retirement under superannuation, have attained 67 years of age and have a minimum of 10 years of creditable service.”.

Point of order.

Mr. Murphy of Weymouth thereupon raised a point of order that the amendment offered by the gentleman from West Newbury was improperly before the House for the reason that it went beyond the scope of the pending bill.

The Chair (Mrs. Haddad of Somerset) stated that there were no provisions amending Chapter 32 of the General Laws in the bill currently being considered by the House, and therefore ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Representatives Lyons of Andover, O'Connell of Taunton and Diehl of Whitman then moved to amend the bill by striking out sections 38 to 50, inclusive, and inserting in place thereof the following section:

“SECTION 38. Notwithstanding any general or special law or rule or regulation to the contrary, this law, varying the compensation for the services of the Senators and Representatives, shall not take effect until an election of Representatives shall have intervened.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 40 members voted in the affirmative and 120 in the negative.

Amendment rejected,—yea and nay No. 2.

**[See Yea and Nay No. 2 in Supplement.]**

Therefore the amendment was rejected.

Representatives Lyons of Andover, O'Connell of Taunton and Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 51. Notwithstanding any general or special law or rule or regulation to the contrary, the compensation increases set forth in sections 1 and 2 shall be limited to a 4% over the rate of compensation set forth in Chapter 3 sections 9B to 10, inclusive, of the Massachusetts General Laws, 2014 Edition.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons; and on the roll call 36 members voted in the affirmative and 124 in the negative.

Amendment rejected,—yea and nay No. 3.

**[See Yea and Nay No. 3 in Supplement.]**

Therefore the amendment was rejected.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 116 members voted in the affirmative and 44 in the negative.

Bill passed to be engrossed,—yea and nay No. 4.

**[See Yea and Nay No. 4 in Supplement.]**

Therefore the bill was passed to be engrossed. The same member then moved that this vote be reconsidered, and the motion to reconsider was considered forthwith; and it was negatived. The bill (House, No. 58) then was sent to the Senate for concurrence.

Prior to the noon recess (Mr. Donato of Medford being in the Chair),—by Mr. Dempsey of Haverhill, for the temporary committee on Ways and Means, on a joint petition, a Bill establishing a sick leave bank for Robert Hackett, an employee of the Department of Revenue (House, No. 55), was read.

Robert Hackett,—sick leave.

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

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Campanale of Leicester (Mrs. Haddad of Somerset being in the Chair), the bill (having been certified by House Counsel to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Campanale moved to amend it in line 6 by striking out the words “department paid” and inserting in place thereof the words “extended illness”.

Robert  
Hackett,—  
sick leave.

The amendment was adopted; and the bill (House, No. 55, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

Next  
sitting.

On motion of Mr. DeLeo of Winthrop,—  
*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at two o'clock P.M.

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At seven minutes before three o'clock P.M., on motion of Mr. Mariano of Quincy (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at two o'clock P.M.