

JOURNAL OF THE HOUSE.

Wednesday, April 5, 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:

Prayer.

God of Strength and Perseverance, we thank You for the many gifts You give Your servants who work in and through this historic chamber. May our elected officials and their staff continue to generously share their talents for the betterment of Massachusetts.

We give thanks as we recall an episode in the life of the historic vessel that first brought the Pilgrims to our shores.

Yesterday, April 4 was the anniversary of the departure of the Mayflower as it set sail back to England after spending the winter just off shore in Plimoth Harbor.

It served as a home throughout that voyage and then throughout the first winter for many of the 102 passengers and 30 crew members, with disease eventually killing half of the Pilgrims and crew.

In the spring, able-bodied pilgrims built huts ashore, and the remaining passengers disembarked from the Mayflower on March 21, 1621. The empty hold of the ship was then filled with stones from the Plimoth Harbor to serve as ballast for the return trip. The Mayflower made excellent time on her voyage back to England. The westerly winds that had buffeted her coming here pushed her along going home, with the return trip taking four weeks; less than half the time it had taken her to sail to Plimoth.

We pray that the work of legislators here help provide smooth sailing for the almost 7 million residents of Massachusetts. May God continue to bless our Commonwealth.

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.

Silent Prayers.

State Senator Kenneth J. Donnelly.

During the session, at the request of Speaker DeLeo of Winthrop, on behalf of Representatives Garballey of Arlington, Dwyer of Woburn, Gordon of Bedford, Kaufman of Lexington, Lombardo of Billerica, and Rogers of Cambridge, the members, guests and employees stood in a moment of silent tribute to the memory of Senator and longtime Lexington firefighter Kenneth J. Donnelly of Arlington, who died of complications suffered from a brain tumor Sunday after an eight-month struggle.

Senator Donnelly was born in Cambridge and moved to Arlington at age 7, where he attended public schools and later started a family with his wife Judy. He worked for 37 years in the Lexington Fire Department and first joined the Senate in 2009 where he was a tireless

advocate for many issues including municipal health, pension reform, boosting the state minimum wage and improving the mental health care system.

Senator Donnelly is survived by his wife of 43 years, Judy, his children Ryan, Keith, and Brenna; and his five grandchildren.

The Speaker referred to Senator Donnelly as a man of great conviction and strength who for many years risked his life as a fire fighter; and, when that ended, he came to the Legislature to fight for his beliefs.

During the session, at the request of Speaker DeLeo of Winthrop and all the members of the House, the members, guests and employees, including an assemblage of uniformed State House Rangers and a member of the State Police, stood in a moment of silent tribute to the memory of Deborah A. McNamara, 54, of Charlestown, formerly of the town of Spencer.

Deborah A. McNamara.

Debbie, a longtime Park Ranger for the Department of Conservation and Recreation, passed away on the morning of March 30th, after a seventeen year battle with breast cancer.

Her battle with cancer was the catalyst for her over 10 year participation in the Pan Mass Challenge. She was instrumental in the creation of the Boston Bruins Foundation Team for the Challenge.

Debbie is pre deceased by her sister Cheryl Stack, and leaves her brothers John A. McNamara IV, Kevin P. McNamara and his wife Bridget, David G. McNamara and his wife Allison, her sisters Lauren E. McGuiirk and her husband William, Deanna M. Sutton and her husband Ryan, her sister-in-law Lisa McNamara and brother-in-law Edward Stack. She also leaves her many nieces and nephews.

During the session, at the request of Speaker DeLeo of Winthrop, on behalf of Mr. Vega of Holyoke, the members, guests and employees stood in a moment of silent tribute to the memory of Corporal Jules Hauterman, a Holyoke native, who was killed in action at the Chosin Reservoir in North Korea. Corporal Hauterman was 18 years old when he enlisted to serve and defend our country. Like so many before, and so many after him, he stood up to defend the freedoms and liberties we enjoy today, including the democratic freedom to be in this Chamber practicing democratic self-governance. He made the ultimate sacrifice at the age of 19. He has been listed as missing in action since December 2, 1950, but late in 2016 his remains were identified and were brought home in March of 2017. Corporal Hauterman was finally laid to rest in his hometown of Holyoke on Friday, March 31, 2017.

Corporal Jules Hauterman.

Message from the Governor.

Mrs. Haddad of Somerset being in the Chair,—

A message from His Excellency the Governor recommending legislation relative to assault and battery on a police officer (House, No. 3539), was filed this day in the office of the Clerk.

Police officers,— assault and battery.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Guests of the House.

During the Session, the Speaker declared a brief recess and introduced Andre Tippett, former New England Patriot linebacker and member of the National Football League Hall of Fame, who addressed the House briefly. Accompanying Mr. Tippett were Patriot Cheerleader Bailey Medeiros of Monson, Patriot Mascot "Pat Patrick" and Jonathan Morse, custodian of the Lombardi Trophy (prominently displayed on the Rostrum), which had been awarded to the Super Bowl LI Champion New England Patriots after their remarkable comeback victory that deflated the hopes and dreams of the Atlanta Falcons and their fans.

Andre Tippett and the Lombardi Trophy.

Resolutions.

Mr. Donato of Medford being in the Chair,—

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Owen Amaral.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Owen Patrick Amaral on receiving the Eagle Award of the Boy Scouts of America;

Carol Shrand.

Resolutions (filed by Mr. Cantwell of Marshfield) honoring Carol Shrand for her dedicated public service to the town of Marshfield;

Worcester,— AIDS Project.

Resolutions (filed by Representatives Keefe of Worcester, Mahoney of Worcester, O'Day of West Boylston, Donahue of Worcester and Campanale of Leicester) congratulating AIDS Project—Worcester, Inc. on its thirtieth anniversary; and

Kenneth Kovitch.

Resolutions (filed by Mr. Smola of Warren) commemorating the retirement of Chief Kenneth A. Kovitch from the Ware Police Department;

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Haddad, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (see Section 7 of Chapter 306 of the Acts of 2008) submitting the annual report of said conservancy for calendar year 2016, entitled "The Greenway", was placed on file.

Rose Fitzgerald Kennedy Greenway.

Reports of Committees.

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

Lanesborough.

Further regulating the Baker Hill Road District in the town of Lanesborough (House, No. 1099); and

Kevin Blake,— sick leave.

Establishing a sick leave bank for Kevin Blake, an employee of the Massachusetts Department of Transportation (House, No. 3452);

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

Recess.

At eight minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until three o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

Recess.

Paper from the Senate.

Mr. Haddad of Somerset being in the Chair,—

The House Bill providing for the financing of certain improvements to municipal roads and bridges (House, No. 2783, amended) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2047, amended in section 2, in line 24, by striking out the word "reimbursement" and inserting in place thereof the word "grants".

Municipal roads and bridges,— bonds.

Under suspension of Rule 35, on motion of Mr. Straus of Mattapoisett, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Straus, Dempsey of Haverhill, Howitt of Seekonk were appointed the committee on the part of the House. Sent to the Senate to be joined.

Conference committee.

Order.

An Order (filed by Mr. Galvin of Canton) relative to the procedures for consideration of the General Appropriation Bill for fiscal year 2018 (House, No. 3599), having been reported from the committee on Rules, under the provisions of House Rules 7B and 7C, was considered.

Budget,— procedures.

After remarks on the question on adoption of the order, Mr. Jones of North Reading and other members of the House moved to amend it in line 3 by inserting after the word "Speaker" the following "; provided said amendments shall be filed no later than five o'clock P.M. Thursday, April 13, 2017"; and the amendment was adopted.

Mr. Kuros of Uxbridge then moved to amend the order in line 35 by inserting the following paragraph:

"Ordered, That, no more than one consolidated amendment may be considered in a single vote; and be it further".

After remarks the amendment was rejected.

The order (House, No. 3599, amended) then was adopted.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Elizabeth Traphagen, an employee of the Department of Public Health (see House, No. 1464, 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.

Elizabeth Traphagen,— 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 53 to 0. Sent to the Senate for concurrence.

*Orders of the Day.*Third
reading
bills.

House bills

Authorizing the town of Millis to transfer certain recreation property in exchange for dedication of conservation land (House, No. 1106); and
Authorizing the city of Chicopee to lease a certain building (House, No. 2781);

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. Severally 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 eleven o'clock A.M.

At eight minutes after four o'clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.