

JOURNAL OF THE HOUSE.

Wednesday, June 22, 2016.

Met at seven minutes after 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).

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.

Message from the Governor.

A message from His Excellency the Governor, submitting recommendations for making certain appropriations for fiscal year 2017 before final action on the General Appropriation Bill (House, No. 4425), was filed in the office of the Clerk on Monday, June 20. State funds,—
emergency
expenditure.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Subsequently Mr. Dempsey of Haverhill, for said committee, reported on the forgoing message, a Bill making certain appropriations for the fiscal year 2017 before final action on the General Appropriation Bill (printed in House, No. 4425) [Total Appropriations: \$5,300,000,000.00]. 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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Statement Concerning Representative Khan of Newton.

A statement of Mrs. Haddad of Somerset concerning Ms. Khan of Newton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Khan of Newton, is unable to be present in the House Chamber for today's sitting because she is on official business attending the National Conference of State Legislatures' Juvenile Justice Policy Forum in Lake Tahoe, Nevada. Her missing of roll calls today is due entirely to the reason stated. Statement
concerning
Ms. Khan
of Newton.

Statement of Representative Naughton of Clinton.

A statement of Mr. Naughton of Clinton was spread upon the records of the House, as follows:

Statement of Mr. Naughton of Clinton.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not able to make multiple votes today because I was participating in a panel outside of the State House that discussed avoiding the closure of any military bases in the future. My missing of roll calls today was due entirely to the reason stated.

Resolutions.

Adam Ganz.

Resolutions (filed with the Clerk by Mr. Kafka of Stoughton) congratulating Adam Ganz on receiving the Eagle Award of the Boy Scouts of America, were referred under Rule 85, to the committee on Rules.

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

Order.

The following order (filed by Mr. Kocot of Northampton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

State Administration and Regulatory Oversight committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Wednesday, July 6, 2016, within which time to make its final report on current House documents numbered 4130, 4294 and 4295.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4426), ought to be adopted. Under suspension of the rules, on motion of Mr. Kocot, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Revere,—land.

A Bill concerning the conveyance of certain parcels of land in the city of Revere (Senate, No. 2353) (on Senate bill No. 2056), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Human trafficking.

A petition of Mark C. Montigny for legislation to stop human trafficking and enhance the lives of survivors, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2373) was referred, in concurrence, to the committee on the Judiciary.

Engrossed Bill.

Bill enacted.

The engrossed Bill establishing the Olmsted Park improvement fund (see House, No. 4023) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

At nineteen 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 one o'clock P.M.; and at six minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of James M. Murphy for legislation to establish a sick leave bank for Kelly White, an employee of the Trial Court. To the committee on the Judiciary.

Kelly White,—sick leave.

Petition (accompanied by bill) of Paul J. Donato that the State Board of Retirement be authorized to establish a retirement incentive for certain Trial Court employees. To the committee on Public Service.

Trial Court,—retirement.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Relative to physician assistants (House, No. 1024);

PAs.

Relative to patient access to information regarding breast reconstructive surgery (House, No. 3699);

Surgery.

Relative to a State Public Health HIV and Hepatitis Fund (House, No. 3960);

Hepatitis Fund.

Relative to strengthening the consumer protections and ensuring the proper labeling of fish sold in the Commonwealth (House, No. 4066);

Fish,—labeling.

Relative to death benefit claims (House, No. 4068);

Death benefits.

Authorizing the city of Holyoke to establish a program for enforcement against illegal dumping (House, No. 4262) [Local Approval Received];

Holyoke,—dumping.

Authorizing the town of Deerfield to continue the employment of police officers Gary Sabilia and David Gendron (House, No. 4263) [Local Approval Received];

Deerfield,—police.

Relative to the cultivation of marijuana and marihuana (House, No. 4326); and

Marijuana.

Expanding eligibility for diversion to treatment for criminal offenders (House, No. 4369);

Criminals,—treatment.

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.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill to regulate appraisal management companies (House, No. 947), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means, pending.

Appraisal management companies.

Appraisal management companies.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4399),— then was adopted; and the substituted bill was ordered to a third reading.

Architect laureate.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the architect laureate (House, No. 2931), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means, pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4401),— then was adopted; and the substituted bill was ordered to a third reading.

Quincy College,— baccalaureate degrees.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing Quincy College to confer baccalaureate degrees (House, No. 4061) [Local Approval Received], be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means, pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4403),— then was adopted; and the substituted bill was ordered to a third reading.

Surety bond payments.

Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3889) of Gailanne M. Cariddi, Tricia Farley-Bouvier and William Smitty Pignatelli for legislation to establish the public construction surety bond state guarantee fund.

Under suspension of the rules, on a motion of Ms. Farley-Bouvier of Pittsfield, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Kocot of Northampton.

Law revision commission.

By Mr. Galvin of Canton, for the committee on Rules, that the Bill establishing the Massachusetts law revision commission (House, No. 2813), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Lottery pilot projects.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 29 and on a part of House, No. 21, a Bill relative to lottery pilot projects (House, No. 4417). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 184, a Bill authorizing the town of Westborough to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4418) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Westborough,— liquor licenses.

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate amendment of the House Bill authorizing the town of Falmouth to convey certain land to the West Falmouth Library, Inc. (House, No. 3976, amended), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Madden of Nantucket; and it was adopted, in concurrence.

Falmouth,— land.

The House Bill reforming alimony in the Commonwealth (House, No. 4110), report by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Milford.

Alimony,— reform.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by substitution of a bill with the same title (House, No. 4427); and after debate the amendment was adopted.

On the question on passing the substituted bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the Mr. Fernandes; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,— yeas and nays No. 281.

[See Yeas and Nays No. 281 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4427) then was sent to the Senate for concurrence.

The Speaker being in the Chair,—

The House Bill to properly punish the solicitation of felony crimes (House, No. 4005), report by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Milford.

Felony crimes.

After debate 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. Fernandes of Milford; and on the roll call (Mr. Donato of Medford being in the Chair) 156 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,— yeas and nays No. 282.

[See Yeas and Nays No. 282 in Supplement.]

Therefore the bill (House, No. 4005) was passed to be engrossed. Sent to the Senate for concurrence.

*Reports of Committees.*Municipal
roads and
bridges—
bonds.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, on the Bill financing improvements to municipal roads and bridges (House, No. 4057), and the Bill financing improvements to municipal roads and bridges (House, No. 4384), that the Bill financing improvements to municipal roads and bridges (House, No. 4057), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4424).

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4416),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, 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 previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4424) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the substituted bill to be engrossed, Mr. Timilty of Milton moved to amend it by adding the following section:

“SECTION 12. Not less than \$100,000 shall be expended on a feasibility study to mitigate traffic at the Wood Street overpass in East Milton Square in the town of Milton.”

After remarks the amendment was rejected.

The same member then moved to amend the bill by adding the following section:

“SECTION 12. Not less than \$100,000 shall be expended for the renovation and repair of embankments under the North Main St. Bridge in the town of Randolph.”

After remarks the amendment was rejected.

Mr. Dempsey of Haverhill then moved to amend the bill 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 forthwith finance improvements to the commonwealth’s transportation system, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 283 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed. The bill (House, No. 4424, amended) then was sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 283.*Motions to Discharge Certain Matters
in the Orders of the Day.*

The House Bill enhancing disclosure requirements for expenditures made to support or oppose candidates by certain committees (House, No. 541), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton. The bill then was read a second time forthwith; and it was ordered to a third reading.

Disclosure
requirements.

Subsequently, under suspension of the rules, on motion of Mr. Mahoney of Worcester, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: “An Act further regulating disclosure requirements for expenditures made to support or oppose candidates by certain committees.”

After remarks on the question on passing the bill to be engrossed (Mr. Bradley of Hingham being in the Chair), the sense of the House was taken by yeas and nays, at the request of Mr. Mahoney of Worcester; and on the roll call (Mr. Donato of Medford having returned to the Chair) 156 members voted in the affirmative and 1 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 284.**[See Ye and Nay No. 284 in Supplement.]**

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Heroux of Attleboro was spread upon the records as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I had voted in the affirmative. However, in that last split second my portfolio on my desk bumped the NAY button. Consequently, I was recorded as voting in the negative when it was my intention to vote in the affirmative.

Statement of
Mr. Heroux
of Attleboro.

The House Bill relative to campaign contribution limits for certain candidates running for office in a state election (House, No. 542) (its title having been changed by the committee on Bills in the Third Reading), report by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Mahoney of Worcester.

Campaign
contribution.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in lines 6 and 7 by striking out the words “to a candidate” and inserting in place thereof the following: “for the benefit of any 1 candidate and the committee of that candidate”; and the amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 285.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Mahoney of Worcester; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 285 in Supplement.]

[Messrs. Cahill of Lynn, Cassidy of Brockton, Hay of Fitchburg, Livingstone of Boston and Walsh of Peabody answered "Present" in response to their names.]

Therefore the bill (House, No. 542, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Disclosure
requirements.

The House Bill relative to enhanced disclosure of top-five contributors information (House, No. 543), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton. The bill then was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Mahoney of Worcester, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act relative to disclosure of top contributors for independent expenditures or electioneering communications."

Bill passed to
be engrossed,—
yea and nay
No. 286.

After remarks 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 the same member; and on the roll call 146 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 286 in Supplement.]

Therefore the bill 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 eleven o'clock A.M.

Accordingly, without proceeding to the matters in the Orders of the Day, at six minutes before four o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned to meet the following day at eleven o'clock A.M., in an Informal Session.