

JOURNAL OF THE HOUSE.

Monday, July 11, 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).

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 — Disapprovals and
Recommendations of Amendments in
General Appropriation Bill.*

A message from His Excellency the Governor returning with his reduction or disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4450] (for message, see House, No. 4505), filed in the office of the Clerk on Friday, July 8, was read. General Appropriation Bill,— Disapprovals, reductions and amendments.

So much of the message as relates to the disapprovals were referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the sections returned with recommendations of amendments were referred, as follows:

Section 12 - Printed as House, No. 4485;
 Section 24 - Printed as House, No. 4486;
 Section 36 - Printed as House, No. 4487;
 Section 54 - Printed as House, No. 4488;
 Section 63 - Printed as House, No. 4489;
 Section 73 - Printed as House, No. 4490;
 Section 108, 111, 113 and 115 - Printed as House, No. 4491;
 Section 133 - Printed as House, No. 4492;
 Section 145 - Printed as House, No. 4493;
 Section 148 - Printed as House, No. 4494;
 Section 157 - Printed as House, No. 4495;
 Section 168 - Printed as House, No. 4496;
 Section 179 - Printed as House, No. 4497;
 Section 180 - Printed as House, No. 4498;
 Section 181 - Printed as House, No. 4499;
 Section 186 - Printed as House, No. 4500;
 Section 191 - Printed as House, No. 4501;
 Section 194 - Printed as House, No. 4502;
 Section 196 - Printed as House, No. 4503; and
 Section 201 - Printed as House, No. 4504.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Message from the Governor.

Supplemental appropriations.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4506), was filed in the office of the Clerk on Friday, July 8.

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.

Statement of Representative Sannicandro of Ashland.

Statement of Mr. Sannicandro of Ashland.

A statement of Mr. Sannicandro of Ashland 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 I was unable to be present in the House Chamber for the sitting of Thursday, July 7, 2016 due to business in Washington D.C., in relation to my office. If I had been present, I would have voted in the affirmative on Roll Call No. 293, on acceptance of the conference committee report on the Bill relative to transgender anti-discrimination; and also in the affirmative on Roll Call No. 298, on passing to be engrossed the Bill relative to job creation, workforce development and infrastructure investment. My missing of roll call Nos. 291 to 298 on Thursday last was due entirely to the reason stated.

Petitions.

Petitions severally were presented and referred as follows:

Weston,—land.

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 4507) of Alice Hanlon Peisch and Michael J. Barrett (by vote of the town) that the town of Weston be authorized to convey a certain parcel of town-owned land for recreational purposes; and

Id.

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 4508) of Alice Hanlon Peisch and Michael J. Barrett (by vote of the town) that the town of Weston be authorized to convey two parcels of land from the recreation commission to the conservation commission for conservation purposes.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Bourne,—land.

Mr. Vieira of Falmouth presented a petition (subject to Joint Rule 12) of David T. Vieira, Randy Hunt and Viriato M. deMacedo for legislation to authorize the Division of Fisheries and Wildlife to convey a certain parcel of land located in the town of Bourne to said town; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Ride for hire industry.

The House Bill relative to ride for hire industry (House, No. 4064), came from the Senate with the endorsement that said branch had insisted on its amendments (in which the House had non-concurred).

The bill bore the further endorsement that the Senate had concurred with the House in appointment of a committee of conference on the

disagreeing votes of the two branches; and that Senators Spilka, Eldridge and Humason had been joined as the committee on the part of the Senate.

The House Bill to promote energy diversity (House, No. 4385), came from the Senate with the endorsement that said branch had insisted on its amendment (in which the House had non-concurred). Energy diversity.

The bill bore the further endorsement that the Senate had concurred with the House in appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Downing, Pacheco and Tarr had been joined as the committee on the part of the Senate.

A Bill creating higher education opportunities for students with intellectual and developmental disabilities (Senate, No. 2414) (on Senate bill No. 2393), passed to be engrossed by the Senate was read; and it was referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently. Developmental disabilities,—higher education.

Bills

Protecting the rights of probationers (Senate, No. 2278, amended in line 5 by striking out the words “as prescribed” and inserting in place thereof the words “, if said possession or use is consistent with the medical direction and valid prescription issued”) (on Senate, No. 731); Probationers.

Relative to the Uniform Child Custody Jurisdiction and Enforcement Act (Senate, No. 2392, amended by striking out section 1; and in section 2, in line 474, by striking out the word “section”, the second time it appears, and inserting in place thereof the word “Article”; and by adding the following section: Uniform Child Custody Jurisdiction and Enforcement Act.

“SECTION 4. This act shall take effect on July 1, 2017.”) (on Senate bill No. 746); and

For language opportunity for our kids (Senate, No. 2421) (on Senate bill No. 2395); Language opportunities.

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Ms. Garlick of Needham, for the committee on Elder Affairs, on Senate, Nos. 353, 354, 365, 366, 367 and 386 and House, Nos. 517, 522, 524, 530, 532, 3229, 3405 and 3622, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain Senate and House documents concerning elder affairs issues (House, No. 4484). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Elder Affairs,—study.

Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

East Longmeadow.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill relative to the 2016 special town election in the town of East Longmeadow (printed in House, No. 4382).

Templeton,— town meeting.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at a special town meeting held in the town of Templeton (printed in House, No. 4439).

Blandford,— town meeting.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at the annual town election held in the town of Blandford (printed in House, No. 4449).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reconsideration.

Boston,— land.

Mr. Nangle of Lowell asked that the vote be reconsidered by which the House, at the preceding sitting, ordered to a third reading the House Bill conveying a certain parcel of land on East First Street in the South Boston neighborhood of the city of Boston (House, No. 4293); and the motion to reconsider was considered forthwith; and it prevailed.

Pending the recurring question on ordering the bill to a third reading, the amendment previously recommended by the committee on Ways and Means,— that the bill be amended in section 2, in line 25, by inserting after the word "Boston," the following two sentences: "The Massachusetts Port Authority shall establish the value of the property for both the highest and best use of the property as currently encumbered and for the purposes described in section 1. The Massachusetts Port Authority shall place notification in the central register of the conveyance, the amount of such transaction and the difference between the calculated value and the price received.",— was adopted.

The bill (House, No. 4293, amended) then was ordered to a third reading.

Orders of the Day.

Campaign contributions.

The Senate amendment of the House Bill relative to campaign contribution limits for certain candidates running for office in a state election (House, No. 542 amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Id.

The Senate amendment of the House Bill relative to disclosure of top contributors for independent expenditures or electioneering communications (House, No. 543), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Third reading bills.

Senate bills

Authorizing the town of Nantucket to convey certain land held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank and Madaket Construction Trust for open space, recreational or conservation purposes (Senate, No. 1935);

Relative to segregated reserve funds in the city of Boston (Senate, No. 1999); and

Relative to the retirement benefits of certain employees of the town of Erving (Senate, No. 2227);

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.

House bills

Relative to the charter of the town of Plymouth (House, No. 3968); and

Establishing a sick leave bank for Christopher Mullen, an employee of the Hampshire Sheriff's Office (House, No. 4292) (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 authorizing Nantucket County to convey certain parcels of land to the town of Nantucket (Senate, No. 1936) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Nantucket,— land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 5 by striking out the words "and for general municipal purposes and access purposes".

The amendment was adopted; and the bill (Senate, No. 1936, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill providing for recall elections in the town of East Bridgewater (printed as Senate, No. 1953), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

East Bridgewater,— recall elections.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 3 and inserting in place thereof the following section:

"SECTION 3. If the petition filed pursuant to section 2 shall be found and certified by the town clerk to be sufficient, the town clerk shall submit the same with the town clerk's certificate thereon to the board of selectmen without delay, and the board of selectmen shall forthwith give to said elected officer whose recall is being sought, written notice of the receipt of said certificate and shall, if the officer sought to be removed does not resign within 5 days thereafter, thereupon order a recall election to be held not less than 64 nor more than 90 days after the date the election is called; provided however, that if any other town election is to occur within 100 days after the date of said certificate, the selectmen may, in their discretion, postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as herein provided."; and

In section 6, in lines 54, 55 and 56, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "If the majority of the votes cast upon the question of recall is in

East
Bridgewater,—
recall
elections.

the affirmative, the candidate receiving the highest number of votes shall be declared elected.”

The amendments were adopted; and the bill (printed as Senate, 1953, 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 Wednesday next at twelve o'clock noon.

At nineteen minutes after eleven o'clock A.M., on motion of Mrs. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o'clock noon, in an Informal Session.