

JOURNAL OF THE HOUSE.

Thursday, January 7, 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.

Communications.

Communications

From the Massachusetts District Attorneys Association (see Section 32 of Chapter 158 of the Acts of 2014) relative to the status of child abuse and neglect cases for fiscal year 2014;

From the Massachusetts Department of Transportation (see Section 16 of Chapter 233 of the Acts of 2008) submitting a report relative to the progress of the accelerated bridge improvement program;

From the Massachusetts Department of Transportation (see Section 11 of Chapter 161A of the General Laws) submitting the Massachusetts Bay Transportation Authority's efforts to maximize non-transportation revenue;

From the Massachusetts Department of Transportation (see Section 39M½ of Chapter 30 of the General Laws) submitting the annual Owner's Representative reports prepared for the Massachusetts Department of Transportation for calendar year 2015; and

From the Executive Office of Housing and Economic Development (see Section 4 of Chapter 240 of the Acts of 2010) submitting its annual reports for the Office of Performance Management and Oversight for the fiscal year 2015;

Severally were placed on file.

Initiative Petitions.

Initiative petition of Amy Lindsey Lanigan and others for the passage of An Act relative to expanded gaming (House, No. 3927) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Initiative petition of Beth E. Anderson and others for the passage of An Act to allow fair access to public charter schools (House, No. 3928) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Education. Sent to the Senate for concurrence.

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Initiative petition of Donna M. Colorio and others for the passage of An Act relative to ending Common Core Education Standards (House, No. 3929) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on the Education. Sent to the Senate for concurrence.

Education,—
Common Core
Standards.

Initiative petition of Carter J. Luke and others for the passage of An Act to prevent cruelty to farm animals (House, No. 3930) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Farm
animals,—
cruelty.

Initiative petition of Jerald N. Fishbein and others for the passage of An Act the Massachusetts fair health care pricing act (House, No. 3931) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Financial Services. Sent to the Senate for concurrence.

Healthcare,—
pricing.

Initiative petition of Richard M. Evans and others for the passage of An Act the regulation and taxation of marijuana act (House, No. 3932) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on the Judiciary. Sent to the Senate for concurrence.

Marijuana,—
legalization.

Initiative petition of Marven-Rhode Hyppolite and others for an initiative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (House, No. 3933) (received on January 5, 2016, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Revenue. Sent to the Senate for concurrence.

Constitution,—
higher income
taxation.

Petitions.

Mr. Gentile of Sudbury presented a petition (accompanied by bill, House, No. 3940) of Carmine L. Gentile, Richard J. Ross and Alice Hanlon Peisch (by vote of the town) that the town of Wayland be authorized to increase the annual spending limit for its recreational programs revolving fund; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Wayland,—
recreation
fund.

Pledge of
allegiance.

Child
abuse and
neglect.

MassDOT,—
accelerated
bridges.

MassDOT,—
MBTA
revenue.

MassDOT,—
owner's
reports.

Performance
management
and oversight.

Gaming,—
expansion.

Charter
schools,—
access.

Motor
vehicles,—
smoking.

By Ms. DiZoglio of Methuen (by request), a petition (subject to Joint Rule 12) of Susan Bowser for legislation to establish a civil penalty for smoking in a motor vehicle when a child is present; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Becket,—
parks and
recreation.

Petition (accompanied by bill, Senate, No. 2085) of Benjamin B. Downing and William Smitty Pignatelli for legislation to authorize the town of Becket to establish a parks and recreation committee; and

Steve
Lopes,—
medical
expenses.

Petition (accompanied by bill, Senate, No. 2086) of Michael J. Rodrigues and Paul A. Schmid, III (by vote of the town) for legislation to authorize the town of Westport to indemnify for the payment of certain medical expenses for a retired firefighter;

Severally to the committee Municipalities and Regional Government.

Reports of Committees.

Underground
economy,—
whistleblowers.

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 petition of Thomas J. Calter and others for legislation to reward whistleblowers who contribute to the prosecution of individuals and businesses operating in the “underground economy”. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

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

Senate bills

Boys
Scouts.

Authorizing the merger of the Annawon Council, Inc., Boy Scouts of America into the Narragansett Council, Boy Scouts of America (Senate, No. 2041); and

Jared
Forgues,—
sick leave.

Establishing a sick leave bank for Jared Forgues, an employee of the Department of Correction (Senate, No. 2084); and

House bills

Safety
zones.

Authorizing the establishment of senior citizen safety zones (House, No. 531);

Springfield,—
land.

Exempting the city of Springfield from certain provisions of the General Laws and authorizing it to lease certain park land (House, No. 3818) [Local Approval Received];

Hull,—
land.

Relative to certain bonds issued by the town of Hull (House, No. 3855) [Local Approval Received];

Brian
Sheehan,—
sick leave.

Establishing a sick leave bank for Brian Sheehan, an employee of the Middlesex Sheriff's Office (House, No. 3921); and

Robert
Stevens,—
sick leave.

Establishing a sick leave bank for Robert Stevens, an employee of the Massachusetts Department of Housing and Community Development (House, No. 3925);

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

By Mr. Sánchez of Boston, for the committee on Health Care Financing, that the Bill relative to substance use, treatment, education and prevention (House, No. 3926) [Cost: Greater than \$100,000.00], ought to pass. Read; and referred, under Rule 33, to the committee on Ways and Means.

Opiates,—
abuse and
treatment.

Orders of the Day.

The Senate amendments of the House Bill authorizing the Division of Capital Asset Management and Maintenance to lease a certain parcel of land in the town of Southborough (House, No. 3762), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

Southborough,—
land.

Pending the question on adoption of the amendments, in concurrence, Mr. Speliotis of Danvers moved that the House concur with the Senate in its amendments with a further amendment in section 1, in line 4, by striking out the word “may” (inserted by amendment by the Senate), and inserting in place thereof the word “shall” (stricken out by amendment by the Senate). The further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

The Senate Bill establishing a department of public works in the town of Plainville (Senate, No. 2037), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Relative to nitrogen loading easements in the town of Sterling (House, No. 3244); and

Providing for a selectmen–town manager form of government in the town of Wellesley (House, No. 3883);

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.

Third
reading
bills.

The House Bill authorizing the town of Norfolk to continue the employment of fire chief Coleman Bushnell (House, No. 3196), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

Norfolk,—
Coleman
Bushnell.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 7 to 11, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “No further deductions shall be made from the regular compensation of Coleman Bushnell under chapter 32 of the General Laws for any service subsequent to March 28, 2017, and upon retirement, he shall receive a superannuation retire-

Norfolk,—
Coleman
Bushnell.

ment allowance equal to that which he would have been entitled had he retired on that date.”.

The amendment was adopted; and the bill (House, No. 3196, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Norfolk,—
Charles H.
Stone, Jr.

The House Bill authorizing the town of Norfolk to continue the employment of police chief Charles H. Stone, Jr. (House, No. 3197), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 7 to 11, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “No further deductions shall be made from the regular compensation of Charles H. Stones, Jr. under chapter 32 of the General Laws for any service subsequent to September 10, 2017, and upon retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on that date.”.

The amendment was adopted; and the bill (House, No. 3197, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Lincoln,—
liquor
license.

The House Bill authorizing the town of Lincoln to grant a license for the sale of alcoholic beverages to be drunk on the premises (House, No. 3711), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1, in lines 1 to 6, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Notwithstanding sections 11 and 17 of chapter 138 of the General Laws or of any other general or special law to the contrary, the licensing authority of the town of Lincoln may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Blazes LLC at a location in the town of Lincoln to be determined by Blazes LLC and approved by the licensing authority. The license shall be subject to all of said chapter 138 except said section 17.”.

The amendment was adopted; and the bill (House, No. 3711, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

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.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.