

JOURNAL OF THE HOUSE.

Thursday, December 17, 2015.

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.

A message from His Excellency the Governor recommending legisla- tion to modernize municipal finance and government (House, No. 3905), was filed in the office of the Clerk on Monday, December 7.

The message was read; and it was referred under Rule 30, as follows:

So much as relates to sections 15 through 30, 36 through 41, 48 through 55, 57 through 79, 81 through 94, 96 through 100, 201 through 220, 232 through 240 (published as House, No. 3906),— to the com- mittee on Municipalities and Regional Government;

So much as relates to sections 13, 14, 230, 231 and 241 (published as House, No. 3907),— to the committee on Public Service;

So much as relates to sections 31 through 35, 42 through 47, 56, 95, 101 through 183, 221, 242 through 249 (published as House, No. 3908),— to the committee on Revenue;

So much as relates to sections 1 through 12, 80, 222 through 229 (published as House, No. 3909),— to the committee on State Adminis- tration and Regulatory Oversight; and

So much as relates to sections 184 through 200 (published as House, No. 3910),— to the committee on Transportation.

Severally sent to the Senate for concurrence.

The residue of the message (House, No. 3905) was placed on file.

Municipal
government
reform.

Resolutions.

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

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Nor- wood, McMurtry of Dedham and Dooley of Norfolk) congratulating Henry Robert Elmhurst on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Skylar Beach on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Antonio Peter de Renya on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Sam Gantert on receiving the Eagle Award of the Boy Scouts of America;

Henry
Elmhurst.

Skylar
Beach.

Antonio
de Renya.

Sam
Gantert.

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 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.

Communications.

Communications

From the Cape Cod Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements and supplementary data for the fiscal year 2015; Cape
Cod
transit.

From the Nantucket Regional Transit Authority (see Section 8(g) of Chapter 161B of the General Laws) submitting financial statements and supplementary data for the fiscal year 2015; Nantucket
transit.

From the Attorney General of the Commonwealth (under Section 18M of Chapter 6A of the General Laws) announcing her appointment of Alicia Pradas-Monne, Senior Policy Advisor in the Policy and Government Division of the Office of the Attorney General, to serve as the Attorney General's designee on the Criminal Justice Commission, replacing Sheila Calkins, Chief Administrative Officer in said office; Criminal
Justice
Commission,—
appointment.

From the Executive Office of Health and Human Services (under item 4590-1506 of Chapter 161B of the General Laws) submitting the Primary Violence Prevention through Positive Youth Development statement; and Primary
Violence
Prevention.

From the Division of Insurance (see Section 117C of Chapter 175 of the General Laws) relative to credit insurance for the year 2014 [a copy of said report was forwarded to the committee on Financial Services, as required by said law]. Credit
insurance.

Severally were placed on file.

Petitions.

Mr. Jones of North Reading presented a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., and others relative to Gold Star Family motor vehicle registration eligibility; and the same was referred, under Rule 24, to the committee on Rules. Gold Star
Family,—
registration.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of the same member, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Cantwell of Marshfield (by request), a petition (subject to Joint Rule 12) of John Hamacher for legislation to extend the statute of limitations for personal injuries for victims of the Boston Marathon bombing. Marathon
bombing
victims.

By the same member, a petition (subject to Joint Rule 12) of James M. Cantwell relative to transferring funds to the Commonwealth Stabilization Fund. Stabilization
fund.

Child abuse,—
statute of
limitations.

Brian
Sheehan,—
sick leave.

By Ms. DiZoglio of Methuen (by request), a petition (subject to Joint Rule 12) of Bassam Haddad relative to the statute of limitations in civil child sexual abuse cases.

By the same member, a petition (subject to Joint Rule 12) of Diana DiZoglio and Kathleen O'Connor Ives for legislation to establish a sick leave bank for Brian Sheehan, an employee of the Middlesex Sheriff's Office.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

House bills

Canton,—
liquor
licenses.

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3768), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

"SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Canton may grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to establishments. A license granted pursuant to this act shall be subject to the conditions set by the licensing authority and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.

(c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions as authorized in this act."; and

Id.

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3769), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

"SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Canton may grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to establishments. A license granted pursuant to this act shall be subject to the conditions set by the licensing authority and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of a license granted pursuant to this act to any other person, partnership, corporation, limited liability company, organization or other entity or to any other location.

(c) If a license granted pursuant to this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licens-

ing authority and the licensing authority may then grant the license to a new applicant under the same conditions as authorized in this act.”.

The amendments severally were referred, under Rule 35, to the committee on Bills in the Third Reading.

A petition (accompanied by bill, Senate, No. 2075) of Marc R. Pacheco and Angelo L. D’Emilia (by vote of the town) for legislation to authorize the town of Raynham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Raynham,—
liquor
license.

A petition (accompanied by bill) of Anne M. Gobi, Todd M. Smola, Linda Dean Campbell, Gailanne M. Cariddi and other members of the General Court for legislation to provide distinctive registration plates for certain veterans who participated in the testing of atomic weapons, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Atomic
weapons
testers,—
registration
plates.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2080) was referred, in concurrence, to the committee on Transportation.

Communications

From the Public Employee Retirement Administration Commission (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement board elections (840 CMR 7.00) (Senate, No. 2078); and

PERAC,—
regulations.

From the Public Employee Retirement Administration Commission (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement of public employees (840 CMR 10.00) (Senate, No. 2079);

Id.

Severally were referred, in concurrence, to the committee on Public Service.

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 Hannah Kane for an investigation by a special commission (including members of the General Court) relative to the condominium laws. To the committee on Housing.

Condominium
laws.

Petition (accompanied by bill) of Nick Collins and Linda Dorcena Forry for legislation to establish a sick leave bank for Elizabeth Missett Browning, an employee of the Trial Court. To the committee on the Judiciary.

Elizabeth
Missett
Browning.

Petition (accompanied by bill) of Lori A. Ehrlich and others relative to issuing licenses to carry firearms to persons named on the consolidated terrorist watchlist maintained by the Terrorist Screening Center. To the committee on Public Safety and Homeland Security.

Firearms,—
terrorist
watchlist.

Petition (accompanied by bill) of Mathew Muratore and Viriato M. deMacedo for legislation to establish a sick leave bank for Angela

Angela
Cappellucci,—
sick leave.

Cappellucci, an employee of the Department of Transitional Assistance; and

Ronald
Brace,—
sick leave.

Petition (accompanied by bill) of Benjamin Swan for legislation to establish a sick leave bank for Ronald Brace, an employee of the Department of Youth Services;

Severally to the committee on Public Service.

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

Revere and
Winthrop,—
dispatch
center.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the regional public safety communications and dispatch center for the city of Revere and the town of Winthrop (House, No. 3365), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, reported recommending that the bill be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

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

Immunizations.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill to increase access to immunizations (House, No. 3870), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Health Care Financing 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 Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3895),— then was adopted; and the substituted bill was ordered to a third reading.

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

Worcester,—
parking
board.

The Senate Bill relative to the off-street parking board in the city of Worcester (Senate, No. 2012) [Local Approval Received]; and

House bills

Fitchburg,—
vote
tabulators.

Authorizing the city of Fitchburg to use the new image cast vote tabulators at a special state primary (House, No. 3864) [Local Approval Received]; and

Hardwick,—
superintendent.

Establishing an appointed superintendent of streets in the town of Hardwick (House, No. 3865) [Local Approval Received];

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. Honan of Boston, for the committee on Housing, on House, No. 1105, a Resolve providing for an investigation and study by a special commission relative to the need for accessible homes for the elderly, returning veterans with disabilities, and families that include persons with disabilities (House, No. 3903). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Homes,—
accessibility.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill providing a homeless bill of rights (House, No. 1129). Read; and referred, under Rule 33, to the committee on Ways and Means.

Homeless
bill of rights.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to certain affordable housing in the city of Boston (House, No. 3617) [Local Approval Received].

Boston,—
affordable
housing.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Alimatu Lamptey, an employee of the Department of Mental Health (House, No. 3873).

Alimatu
Lamptey.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Nicole Medina, an employee of the Department of Public Health (House, No. 3874).

Nicole
Medina.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Lisa Hershowitz, an employee of the Department of Developmental Services (House, No. 3876).

Lisa
Hershowitz.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Janaina Euriques, an employee of the Massachusetts Department of Children and Families (House, No. 3900).

Janaina
Euriques.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Lucia R. Dias, an employee of the Department of Bristol County Sheriff's Office (see House, No. 3840, 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.

Lucia R.
Dias,—
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 5 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Jamie Johnson, an employee of the Department of Mental Health (see House, No. 3843), 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.

Jamie
Johnson,—
sick leave.

Jamie
Johnson,—
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 5 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Jane
Mihalick,—
sick leave.

The engrossed Bill establishing a sick leave bank for Jane Mihalick, an employee of the Department of Public Health (see House, No. 3852), 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.

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 5 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bill
enacted.

The engrossed Bill authorizing the town of Manchester-by-the-Sea to employ Albert B. Beardsley as interim fire chief (see House bill printed in House, No. 3859) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Bills
enacted.

Authorizing the city of Salem to convert 3 licenses for the sale of wines and malt beverages to be drunk on the premises to licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3739, amended); and

Authorizing the city of Salem to convert 1 seasonal license for the sale of wines and malt beverages to be drunk on the premises to an annual license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3740, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-nine minutes before twelve o'clock noon, on motion of Mrs. Gifford of Wareham (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.