

JOURNAL OF THE HOUSE.

Thursday, June 11, 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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford) introduced, seated in the House Chamber, 5th grade students from the Falls Elementary School in North Attleborough, they were the guests of Mrs. Poirier of North Attleborough. The students and chaperones then participated in leading the House in the pledge of allegiance to the flag.

North Attleborough,—Falls School students.

Resolutions.

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

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Cherylanne Mealhow on the occasion of her retirement from the Department of Mental Health;

Cherylanne Mealhow.

Resolutions (filed by Mr. Muradian of Grafton) honoring the memory of Lance Corporal Thomas S. Perron on the dedication of the Corporal Thomas S. Perron, USMC, Memorial Bridge in the town of Northbridge;

Thomas S. Perron.

Resolutions (filed by Representatives O'Connell of Taunton and Orrall of Lakeville) congratulating and recognizing Reverend Thomas E. Costa, Jr., on his tenth year anniversary as a priest;

Thomas E. Costa, Jr.

Resolutions (filed by Mrs. O'Connell of Taunton) honoring Sandra Parker on the occasion of her retirement from the St. Mary's Primary School in the city of Taunton;

Sandra Parker.

Resolutions (filed by Messrs. Smola of Warren and Tosado of Springfield) celebrating the one hundred twenty-fifth anniversary of Noonan Energy Corporation; and

Noonan Energy.

Resolutions (filed by Mr. Whelan of Brewster) congratulating Greg O'Brien on receiving the Distinguished Citizen Award;

Greg O'Brien.

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 of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

The annual report of the Division of Standards (under Section 57 of Chapter 98 of the General Laws) for the fiscal year 2015, was placed on file.

Division of Standards.

Petitions.

Petitions severally were presented and referred as follows:

Marion,—
easements.

By Representative Straus of Mattapoisett and Senator Pacheco, a joint petition (accompanied by bill, House, No. 3571) of William M. Straus and Marc R. Pacheco (by vote of the town) that the town of Marion be authorized to grant certain easements for natural resources management and protection purposes. To the committee on Environment, Natural Resources and Agriculture.

Duxbury,—
affordable
housing.

By Messrs. Cutler of Duxbury and Calter of Kingston, a petition (accompanied by bill, House, No. 3572) of Josh S. Cutler and Thomas J. Calter (by vote of the town) relative to an affordable housing trust in the town of Duxbury. To the committee on Housing.

Somerset,—
fund.

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 3573) of Patricia A. Haddad and Michael J. Rodrigues (by vote of the town) that the town of Somerset be authorized to increase the allowable expenditure limit of a fire department emergency medical services revolving fund. To the committee on Municipalities and Regional Government.

Plainville,—
firefighters.

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 3574) of Shawn Dooley and Richard J. Ross (by vote of the town) that the town of Plainville be authorized to employ firefighters notwithstanding the provisions of the civil service law; and

Pelham,—
Raymond A.
Murphy, Jr.

By Ms. Story of Amherst, a petition (accompanied by bill, House, No. 3575) of Ellen Story (by vote of the town) that the town of Pelham be authorized to continue the employment of fire chief Raymond A. Murphy, Jr.;

Severally to the committee on Public Service.

Sudbury,—
senior
property
tax
exemption.

By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 3576) of Carmine L. Gentile and James B. Eldridge (by vote of the town) that the town of Sudbury be authorized to amend the senior citizen property tax exemption. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Independent
contractors.

Mr. Roy of Franklin presented a petition (subject to Joint Rule 12) of Jeffrey N. Roy for legislation to further amend the independent contractor statute; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Wenham,—
cemetery
bill.

A Bill authorizing the town of Wenham to pay a certain unpaid bill (Senate, No. 1918) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported 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.

Petitions were referred, in concurrence, as follows:

Arlington,—
town manager.

Petition (accompanied by bill, Senate, No. 1934) of Kenneth J. Donnelly, Sean Garballey and David M. Rogers (by vote of the town)

for legislation to amend the town manager act of Arlington authorizing the town manager to appoint the director of assessments;

Petition (accompanied by bill, Senate, No. 1935) of Daniel A. Wolf and Timothy R. Madden (by vote of the town) for legislation to authorize the town of Nantucket to sell, convey, or otherwise dispose of certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands; and

Nantucket,—
land.

Petition (accompanied by bill, Senate, No. 1936) of Daniel A. Wolf and Timothy R. Madden (by vote of the town) for legislation to approve the conveyance of property by the county of Nantucket;

Id.

Severally to the committee Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 1937) of Daniel A. Wolf and Timothy R. Madden (by vote of the town) for legislation to increase the exemption for residential property to 30 percent in the town of Nantucket. To the committee on Revenue.

Nantucket,—
property
exemptions.

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 Paul McMurtry relative to notifying automobile lien holders of certain towing and storage costs. To the committee on Consumer Protection and Professional Licensure.

Towing and
storage costs

Petition (accompanied by bill) of Paul R. Heroux for legislation to establish a sick leave bank for Carol Gulino, an employee of the Massachusetts Rehabilitation Commission. To the committee on Public Service.

Carol
Gulino,—
sick leave.

Petition (accompanied by bill) of Kate Hogan for legislation to designate a certain bridge in the town of Hudson as the Captain Seth R. Michaud memorial bridge. To the committee on Transportation.

Seth R.
Michaud
bridge.

Under suspension of the rules, on motion of Mr. Nangle of Lowell, 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 on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill establishing a sick leave bank for Denise Dellagrotte, an employee of the Trial Court (Senate, No. 1933); and

Denise
Dellagrotte,—
sick leave.

House bills

Designating a certain area in the Dorchester section of the city of Boston in memory of Trooper Mark S. Charbonnier and Deputy Sheriff Sgt. Richard "Ricky" Dever (House, No. 692); and

Boston,—
park.

Authorizing the town of Norton to use water supply and conservation land for public way purposes (House, No. 3340) [Local Approval Received];

Norton,—
land.

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. Scibak of South Hadley, for the committee on Labor and Workforce Development, on House, Nos. 1694 and 1765, a Bill relative

Workers'
compensation.

Contractors,—
study.

Workers’
compensation.

Public labor
contracts.

Workers’
compensation
audits.

Workers’
compensation.

Bill
enacted.

Off-budget
trust
accounts.

to strengthening the civil penalties of stop work orders under the workers’ compensation statute (House, No. 1694).

By the same member, for the same committee, on a petition, a Bill relative to contractor accountability (House, No. 1697).

By the same member, for the same committee, on a petition, a Bill further regulating workers’ compensation (House, No. 1766).

By the same member, for the same committee, on a petition, a Bill promoting public labor contracts for local residents (House, No. 1768).

By the same member, for the same committee, on a petition, a Bill providing incentives for productive workers [sic] compensation audits (House, No. 1774).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on a petition, a Bill relative to the workers’ compensation exclusion for business owners (House, No. 1691). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill amending the composition of the Stadium and Athletic Field Commission in the city of Malden (see House, No. 3194, amended) (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.

Motion to Suspend Rule 24(2).

Mr. Jones of North Reading then moved that Rule 24(2) be suspended so that he might offer, from the floor, the following order:—

Ordered, That the House committee on Post Audit and Oversight shall conduct an investigation into the use of off-budget trust accounts by the executive branch between the years 2009 and 2014, inclusive, for funding tourism, economic development and other initiatives using public dollars without authorization from the general court; and be it further

Ordered, That said investigation shall include, but not be limited to, a review of those accounts administered by the state’s Housing and Economic Development office that were fully or partially funded by state quasi-public agencies such as, but not limited to, Massport, the Mass Tech Collaborative, the Massachusetts Convention Center Authority, the Mass Growth Capital Corporation and MassDevelopment; and be it further

Ordered, That said investigation shall determine whether the deposit or expenditure of funds from any of these accounts constituted a violation of any state or federal laws or regulations, including, but not limited to, Chapter 30B; and be it further

Ordered, That said investigation shall determine whether any of these trust accounts were ever subject to a formal audit during the time period in question; and be it further

Ordered, That the House committee on Post Audit and Oversight shall provide a detailed accounting of all deposits and expenditures from these accounts, including the recipients of any funds from these accounts and the current balances, if any, remaining in these accounts; and be it further

Ordered, That the House committee on Post Audit and Oversight shall, based on the results of its investigation, make recommendations for implementing appropriate corrective measures to ensure proper oversight and legislative approval of similar trust accounts that utilize public dollars in the future, including regular audits of said accounts; and be it further

Ordered, That the House committee on Post Audit and Oversight file a report on its findings, along with any legislative recommendations, with the Clerk of the House and the Chairman of the House Ways and Means Committee by September 9, 2015.”.

The motion to suspend Rule 24(2) was negatived; and the order (House, No. 3580) was referred, under said rule, to the committee on Rules.

Orders of the Day.

The Senate Bill authorizing the city manager of the city of Worcester to appoint the chair of the Worcester Redevelopment Authority (Senate, No. 29), 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, in concurrence. Third reading bill.

House bills

Relative to the Nantucket Memorial Fuel Revolving Fund Account (House, No. 1858); and Third reading bills.

Exempting certain positions in the police department of the town of Acton from the civil service law (House, No. 2202) (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.

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-two 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 adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.