

JOURNAL OF THE HOUSE.

Monday, August 3, 2015.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. McMurtry of Dedham 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. McMurtry), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Kevin Hickey on receiving the Eagle Award of the Boy Scouts of America; and Kevin
Hickey.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating the town of Wellesley upon being named a Purple Heart Community by the Massachusetts Chapter of the Military Order of the Purple Heart; Wellesley,—
Purple Heart
community.

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. Hill of Ipswich, 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 Commission on the Status of Women (under Section 66 of Chapter 3 of the General Laws) of its activities and findings for the period July 2014 to June 2015, was placed on file. Status of
Women.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Koczera of New Bedford, a petition (accompanied by bill, House, No. 3707) of Robert M. Koczera and others (with the approval of the mayor and city council) that the city of New Bedford be authorized to compensate instructors at a regional school district for their services as elected municipal officials in said city; New Bedford,—
school
employees.

By Representative Peake of Provincetown and Senator Wolf, a joint petition (accompanied by bill, House, No. 3708) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) for legislation to clarify the powers of the library board of the town of Harwich; and Harwich,—
library
board.

By Representative Zlotnik of Gardner and Senator Gobi, a joint petition (accompanied by bill, House, No. 3709) of Jonathan D. Zlotnik and Anne M. Gobi (by vote of the town) that the town of Winchendon be authorized to establish a capital stabilization fund in said town; Winchendon,—
stabilization
fund.

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

Papers from the Senate.

Newton,—
charter.

The House Bill relative to the charter of the city of Newton (House, No. 3563), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1985. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Manchester-
by-the-Sea,—
betterments.

A Bill authorizing the town of Manchester-by-the-Sea to make permanent improvements to private ways and assess betterments (Senate, No. 1939) (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 Mr. Speliotis of Danvers, the bill was read a second time forthwith; and it was ordered to a third reading.

Retailers,—
sales tax.

A Bill providing for sales tax fairness for main street retailers through minimum simplification (Senate, No. 1974, amended in section 1, in lines 17 and 18, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "The procurement rules in the state procurement regulations under chapter 7 shall not apply to the certification process for software providers.") (on Senate bill No. 1541), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Vehicle
recalls.

Petition (accompanied by bill, Senate, No. 1989) of William N. Brownsberger for legislation relative to vehicle recalls. To the committee on Consumer Protection and Professional Licensure.

Pecuniary
judgements.

Petition (accompanied by bill, Senate, No. 1988) of William N. Brownsberger for legislation relative to interest for pecuniary judgements. To the committee on the Judiciary.

Reports of Committees.

Philippe
Fauche,—
sick leave.

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 Russell E. Holmes for legislation to establish a sick leave bank for Philippe Fauche, an employee of the Department of Mental Health. 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 Public Service. Sent to the Senate for concurrence.

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

Validating the actions taken at the annual town and special state elections held in the town of Westborough (printed in House, No. 59);

Creating a special police force in the town of Duxbury (House, No. 2264) [Local Approval Received];

Exempting Albert P. Manzi, III from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover (House, No. 2272) [Local Approval Received];

Exempting William Gregory Gordon from the maximum age requirement for applying for civil service appointment as a police officer in the town of North Andover (House, No. 2273) [Local Approval Received];

Designating a certain section of state highway Route 2 in the city of Cambridge and town of Arlington as the James M. Gavin Memorial Highway (House, No. 2998);

Designating a certain bridge in the city of Boston as the PFC Alvin Richard Gale memorial bridge (House, No. 3083);

To allow the town of Canton to hold their annual municipal election on the first Tuesday after the first Monday in November (House, No. 3234) [Local Approval Received];

Exempting the positions of patrolman, seargent [sic] and the lieutenant in the police department of the town of Maynard from the civil service law (House, No. 3331) [Local Approval Received];

Designating a certain bridge in the town of Lanesborough as the Sergeant Gregory Aloysius Noonan Bridge (House, No. 3335);

Exempting certain positions in the Marlborough school department from the civil service law (House, No. 3377) [Local Approval Received];

Exempting the position of police chief in the town of Hull from the civil service law (House, No. 3596) [Local Approval Received];

Relative to the recall of elected officials in the town of Dighton (House, No. 3615) [Local Approval Received];

Relative to polling places in the city of Marlborough (House, No. 3616) [Local Approval Received];

Designating a certain bridge in the city of Boston as The Paul McLaughlin Bridge (House, No. 3636, changed); and

Designating a certain bridge in the city of Boston The Honorable Arthur J. Lewis, Jr. Bridge (House, No. 3637);

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

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following matters ought to pass:

Bills

Creating a special commission studying cutting, welding and hot work processes regulated by the State Fire Code (House, No. 2111); and

Establishing a state workforce development board (printed in House, No. 3570); and the

Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 82);

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

Westborough,—
elections.

Duxbury,—
police.

North Andover,—
Albert
Manzi.

North Andover,—
William
Gordon.

Cambridge,
etc.—Gavin
highway.

Boston,—
Gale bridge.

Canton,—
elections.

Maynard,—
civil service.

Lanesborough,—
bridge.

Marlborough,—
civil service.

Hull,—
police chief.

Dighton,—
recall elections.

Marlborough,—
polling places.

McLaughlin
bridge.

Boston,—
Lewis
bridge.

Fire Code,—
study.

Workforce
board.

Girls,—
juvenile
system.

Children,—
vision
checks.

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill requiring the Department of Public Health to issue a report on vision screening for children (House, No. 1886).

Minors,—
health care.

By the same member, for the same committee, on a petition, a Bill relative to the health care of minors (House, No. 2010).

Eye care, etc.,—
study.

By the same member, for the same committee, on Senate, No. 1164 and House, Nos. 2046 and 2047, a Bill relative to assessing the Commonwealth's eye care and vision health needs (House, No. 2046).

Lead
abatement.

By the same member, for the same committee, on a petition, a Bill relative to lead abatement (House, No. 2049).

Reconstructive
surgery,—
information.

By the same member, for the same committee, on House, No. 1953, a Bill relative to patient access to information regarding breast reconstructive surgery (House, No. 3699).

Athletics,—
safety.

By the same member, for the same committee, on House, No. 1974, a Bill clarifying participation in athletic safety programs (House, No. 3700).

Postpartum
depression,—
screening.

By the same member, for the same committee, on House, No. 2071, a Bill relative to postpartum depression screening (House, No. 3701) [Estimated Cost: \$101,000.00].

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Pregnant
workers
fairness
act.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on a joint petition, a Bill establishing the Massachusetts pregnant workers fairness act (House, No. 1769). Read; and referred, under Rule 33, to the committee on Ways and Means.

Construction,—
indemnity.

By Mr. Scibak of South Hadley, for the committee on Labor and Workforce Development, on a petition, a Bill to limit indemnity and insurance responsibility for general contractors and subcontractors in construction work (House, No. 1712).

Employee
discrimination.

By the same member, for the same committee, on a petition, a Bill making discrimination on the basis of height and weight unlawful (House, No. 1764) [Representative McKenna of Webster dissenting].

Workplaces,—
bullying, etc.

By the same member, for the same committee, on a joint petition, a Bill addressing workplace bullying, mobbing, and harassment, without regard to protected class status (House, No. 1771).

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

Emergency Measures.

Adoptions, etc.,—
criminal
record
checks.

The engrossed Bill relative to fingerprint-based criminal record checks for adoptive and foster parents (see House, No. 3668, 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.

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 3 to 0. Sent to the Senate for concurrence.

Bill
re-enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had

been returned by His Excellency the Governor with recommendation of amendment), was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the pension liability of the Commonwealth (see House, No. 3670, 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. Pension liability.

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 3 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) (which had been returned by His Excellency the Governor with recommendation of amendment), was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

The engrossed Bill relative to the earned income tax credit (see House, No. 3671, 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. Earned income tax credit.

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 4 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) (which had been returned by His Excellency the Governor with recommendation of amendment), was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

The engrossed Bill requiring certain reports for opiate overdoses (see House, No. 3674, 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. Opiate overdoses.

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 3 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) (which had been returned by His Excellency the Governor with recommendation of amendment), was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

Engrossed Bill.

The engrossed Bill eliminating the preliminary election in the city of Lynn in 2015 (see House, No. 3693) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Report of a Committee.

Company boards,—diversity.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Senate Resolutions to encourage equitable and diverse gender representation on the boards of companies in the Commonwealth (Senate, No. 1007), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on adoption.

Orders of the Day.

House bills

Third reading bills.

Increasing the expenditure limit of the Fire Department Emergency Medical Services Revolving Fund in the town of Somerset (House, No. 3573) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the appointment of firefighters in the town of Plainville (House, No. 3574) (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,—

Next sitting.

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

Representatives Khan of Newton and Balser of Newton then moved that when the House adjourns today, it do so in respect to the memory of David J. Mofenson, a member of the House from Newton from 1971 to 1981, inclusive; and the motion prevailed.
Accordingly, at twenty-four minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. McMurtry of Dedham being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.