

# JOURNAL OF THE HOUSE.

Monday, August 10, 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).

Pledge of allegiance.

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.

### *Message from the Governor.*

Solar industry,—incentives.

A message from His Excellency the Governor recommending legislation relative to a long-term, sustainable solar industry (House, No. 3724), was filed in the office of the Clerk on Friday, August 7.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

### *Communications.*

#### Communications

Insurance Fraud Bureau.

From the Insurance Fraud Bureau (see Section 1 (k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) submitting a semi-annual report relative to referrals involving automobile insurance fraud, workers' compensation fraud and other insurance fraud [copies of said report were transmitted, as required under said law, to the committees on Financial Services and Labor and Workforce Development];

Life initiative annual report.

From the Massachusetts Life Insurance Community Investment Initiative, LLC (see Section 2(e) of Chapter 259 of the Acts of 1998) submitting its annual report for the year 2014 [copies of said report forwarded to the House committee on Ways and Means and the committees on Financial Services and Revenue];

Pharmacy Board,—disciplinary actions.

From the Department of Public Health (see Section 25A of Chapter 112 of the General Laws) submitting the first annual report detailing the investigatory and disciplinary actions conducted by the Massachusetts Board of Registration in Pharmacy during the period of December 1, 2013 to December 1, 2014; and

Distressed persons,—firearm safekeeping.

From the Secretary of the Executive Office of Public Safety and Security on behalf of the task force established (under Section 100 of Chapter 284 of the Acts of 2014) to study and report on suitable and feasible options for the safekeeping of a distressed person's firearms in a location away from the household, stating that the members of the task force "plan to meet regularly between now and the end of the year to perform their due diligence and report on their findings" [said report having been due on July 31, 2015] [copies of the communication forwarded to the committees on Mental Health and Substance Abuse and Public Safety and Homeland Security];

Severally were placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Ms. Decker of Cambridge, a petition (subject to Joint Rule 12) of Marjorie C. Decker and others relative to recording persons receiving medical attention. Patient,—  
recording.

By Mr. Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran for the adoption of resolutions memorializing the Congress of the United States to place grave markers on the graves of soldiers giving the ultimate sacrifice in service to the United States of America and the Commonwealth. Veterans,—  
grave  
markers.

By Mr. Walsh of Framingham, a petition (subject to Joint Rule 12) of Chris Walsh and others for legislation to require written notice of medical tests outside a patient's network for insurance purposes. Insurance,—  
out of network  
testing.

By Mr. Walsh of Framingham, a petition (subject to Joint Rule 12) of Chris Walsh and others for legislation to exempt certain persons over the age of sixty-five from motor vehicle excises and registration fees. Motor  
vehicles,—  
excise and  
fees.

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

*Papers from the Senate.*

A Bill relative to the authorization of the retirement board of the city of Westfield to grant a superannuation retirement benefit to Lynda Cavanaugh (Senate, No. 1920) (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. Westfield,—  
Lynda  
Cavanaugh.

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 severally were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1991) of Brian A. Joyce and Walter F. Timilty (by vote of the town) for legislation to authorize the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant. To the committee on Consumer Protection and Professional Licensure. Milton,—  
alcoholic  
beverages.

Petition (accompanied by bill, Senate, No. 1992) of Brian A. Joyce and Walter F. Timilty (by vote of the town) for legislation to authorize the town of Milton to establish a special purpose stabilization fund. To the committee on Municipalities and Regional Government. Milton,—  
stabilization  
fund.

*Reports*

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 146) of James B. Eldridge, Chris Walsh, Denise Provost, Jason M. Lewis and other members of the General Court for legislation relative to family financial protection; and Family  
financial  
protection.

Of the petition (accompanied by bill, Senate, No. 147) of James B. Eldridge and Carolyn C. Dykema for legislation relative to debt settlement; Debt  
settlement.

Debt  
settlement.

And recommending the same severally be referred to the committee on Financial Services.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

*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:

Malt  
beverage,—  
sales.

Petition (accompanied by bill) of Steven S. Howitt relative to the retail sale of certain malt beverages. To the committee on Consumer Protection and Professional Licensure

Insurers  
Insolvency  
Fund.

Petition (accompanied by bill) of Keiko M. Orrall for legislation to increase certain obligations, by the Insurers Insolvency Fund, from three hundred thousand dollars to six hundred thousand dollars. To the committee on Labor and Workforce Development.

Boston,—  
land.

Petition (accompanied by bill) of Elizabeth A. Malia, Michael F. Rush and others for legislation to authorize the commissioner of Capital Asset Management and Maintenance to grant a lease over certain property in the city of Boston. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Tucker of Salem, 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:

Topsfield,—  
town clerk.

The Senate Bill authorizing the board of selectmen of the town of Topsfield to appoint the town clerk (Senate, No. 1949) [Local Approval Received]; and

Contractor,—  
insurance.

To limit indemnity and insurance responsibility for general contractors and subcontractors in construction work (House, No. 1712);

Bullying.

Addressing workplace bullying, mobbing, and harassment, without regard to protected class status (House, No. 1771);

Sharon,—  
assessments.

Relative to certain property tax assessments in the town of Sharon (House, No. 3595) [Local Approval Received];

Lawrence,—  
elections.

Relative to preliminary elections for certain offices in the city of Lawrence (House, No. 3598) [Local Approval Received];

Tyngsborough,—  
warrants.

Relative to signing of warrants for payment in the town of Tyngsborough (House, No. 3641) [Local Approval Received];

STEM.

Relative to the STEM Advisory Council (House, No. 3660);

Provincetown,—  
charter.

Amending the charter of the town of Provincetown by adding additional alternate members on certain boards (House, No. 3682) [Local Approval Received];

Linda Vitt,—  
sick leave.

Establishing a sick leave bank for Linda Vitt, an employee of the Trial Court (House, No. 3703);

Melrose,—  
alcoholic  
beverages.

To authorize the town of Melrose, acting through its liquor license commission, to issue licenses to table-service restaurants and function rooms with minimum seating capacities (House, No. 3713) [Local Approval Received];

Authorizing the town of North Andover to grant an additional liquor license (House, No. 3714) [Local Approval Received]; North Andover.

Relative to the town of Northborough and the sale of all alcoholic beverages (House, No. 3715) [Local Approval Received]; Northborough.

Relative to the town of Northborough and the sale of all alcoholic beverages (House, No. 3716) [Local Approval Received]; Id.

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3717) [Local Approval Received]; and Canton,—alcoholic beverages.

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3718) [Local Approval Received]; Id.

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 Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 3614, a Bill authorizing the town of Watertown to grant 15 additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3720) [Local Approval Received]. Watertown,—alcoholic beverages.

By the same member, for the same committee, on House, No. 3661, a Bill authorizing the town Wayland to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3772) [Local Approval Received]. Wayland,—alcoholic beverages.

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

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Jeremy Bray, an employee of the Department of Correction (see House, No. 3657, 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. Jeremy Bray,—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 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) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

*Orders of the Day.*

Senate bills

Authorizing the city known as the town of Randolph to designate a check-off on its tax bills (Senate, No. 23) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Establishing a sick leave bank for Anthony Hart, an employee of the Department of Mental Health (Senate, No. 1963);

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, in concurrence.

House bills

Third reading bills.

Relative to the recall of elected officials in the town of Dighton (House, No. 3615);

Relative to polling places in the city of Marlborough (House, No. 3616); and

Relative to the department of public works in the town of Tisbury (House, No. 3619) (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.

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At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.