

JOURNAL OF THE HOUSE.

Thursday, August 18, 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).

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.

Appointment to a Special Commission.

Pension forfeiture commission.

The Speaker announced that he had appointed Mr. Walsh of Framingham to the special commission on pension forfeiture established (under Section 151 of Chapter 133 of the Acts of 2016) to review the decision of the Supreme Judicial Court in Public Employee Retirement Administration Commission v. Edward A. Bettencourt, 474 Mass. 60 (2016).

Resolutions.

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

Mark Townsend.

Resolutions (filed by Ms. Gifford of Wareham and other members of the House) commending Mark Townsend for his years of dedicated volunteer service to the town of Carver and to Plymouth County; and

Bigelow Family.

Resolutions (filed by Mr. Stanley of Waltham) celebrating the Bigelow family legacy to our Commonwealth who helped forge the North American continent;

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

Communications.

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Energy Advisory Council.

From the Department of Energy Resources (see Section 22(d) of Chapter 25 of the General Laws) submitting the annual report of the Energy Advisory Council (EEAC) for the year 2014;

Intervention and targeted assistance.

From the Department of Elementary and Secondary Education (see item 7061-9408) contained in Section 2 of Chapter 46 of the Acts of 2015) submitting the Intervention and Targeted Assistance Report (2014-2015);

Literacy and Early Literacy.

From the Department of Elementary and Secondary Education (see item 7010-0033) contained in Section 2 of Chapter 38 of the Acts of 2015) submitting the Literacy and Early Literacy Programs' Report;

Division of Insurance.

From the Commissioner of Insurance (see Section 17 of Chapter 175 of the General Laws) submitting the 2011 Annual Report of the Division of Insurance;

From the Commissioner of Insurance (see Section 17 of Chapter 175 of the General Laws) submitting the 2012 Annual Report of the Division of Insurance; Division of Insurance.

From the Commissioner of Insurance (see Section 17 of Chapter 175 of the General Laws) submitting the 2013 Annual Report of the Division of Insurance; Id.

From the Commissioner of Insurance (see Section 17 of Chapter 175 of the General Laws) submitting the 2014 Annual Report of the Division of Insurance; and Id.

From the Massachusetts Clean Energy Technology Center (see Section 5 of Chapter 23J of the General Laws) submitting the 2016 industry report and financial statements; Clean Energy Technology Center.

Severally were placed on file.

Petitions.

Mr. Mark of Peru presented a petition (accompanied by bill, House, No. 4583) of Paul W. Mark (by vote of the town) that the town of Northfield be authorized to appoint a town collector for said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Northfield,—town collector.

Representative Pignatelli of Lenox and Senator Downing presented a joint petition (subject to Joint Rule 12) of William Smitty Pignatelli and Benjamin B. Downing relative to certain municipal employees of the towns of Lee, Lenox or Stockbridge; and the same was referred, under Rule 24, to the committee on Rules. Lee, Lenox or Stockbridge,—employees.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2481) of Kathleen O'Connor Ives and James M. Kelcourse (by vote of the town) for legislation to authorize assessment of sewer betterments and privilege fees in the town of Salisbury, was referred, in concurrence, to the committee on Municipalities and Regional Government. Salisbury,—sewer betterments.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Jeffrey Sánchez for legislation to designate a certain bridge in the city of Boston as the Lance Corporal Alexander Arrendondo and Brian Arrendondo memorial bridge. Under suspension of the rules, on motion of Mr. Madden of Nantucket, 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. Boston,—Arrendondo bridge.

Report of the committee on the Judiciary, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4355) of Sarah K. Peake relative to confirming title to a certain property in the town of Provincetown taken by eminent domain. Provincetown,—property titles.

Under suspension of the rules, on a motion of Ms. Peake of Provincetown, the report was considered forthwith. Pending the question on

acceptance of the report, the petition was recommitted, on motion of Mr. Fernandes of Milford.

Education,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 311, 322, 334, 340, 363, 370, 413, 418, 433, 450, 451, 497 and 3395, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning assessment issues (House, No. 4582). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Galvin of Canton, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing the town of Salisbury to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2201) (which originated in the Senate), 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.

Orders of the Day.

William
Horohoe,—
sick leave.

The Senate amendment of the House Bill establishing a sick leave bank for William Horohoe, an employee of the Massachusetts Department of Transportation (House, No. 4480, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

House bills

Third
reading
bills.

Relative to the 1-year residency preference for persons being considered for original appointment to the Cambridge police force and fire force (House, No. 3287) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the appointment of special police officers in the town of Dracut (House, No. 4012) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the issuance of certain bonds by the town of Pembroke (House, No. 4346, changed);

Relative to employees of the Department of Fire Services (House, No. 4400);

Relative to the recognition and registration of professional employer organizations operating in the Commonwealth of Massachusetts (House, No. 4563);

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.

The House Bill relative to caregiver advice and records enablement (House, No. 3911) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Caregiver
advice.

Pending the question on passing the bill to be engrossed, Ms. Hogan of Stow moved to amend it in section 1, in lines 23 to 26, inclusive, by striking out the words "any facility including another hospital, any long-term care facility such as nursing home, skilled nursing facility, hospice, and assisted living facility, group home, or other facility that is providing post-acute level of care" and inserting in place thereof the words "a hospital, nursing home, skilled nursing facility, hospice, assisted living facility, group home, or other facility that provides a post-acute level of care";

In section 2, in lines 80 and 81, by striking out the words "guidance to hospitals" and inserting in place thereof the word "regulations";

By striking out section 3 (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following section: "SECTION 3. Section 1 shall take effect upon promulgation of the regulations required by section 2, or 8 months after the effective date of section 2, whichever occurs first."; and

By inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a caregiver assistance program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendments were adopted; and the bill (House, No. 3911, amended) was passed to be engrossed. 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.

Representative Cutler of Duxbury moved that when the House adjourns today, it do so in respect to the memory of Charles W. Mann, a member of the House from Hanson from 1967 to 1970, inclusive, and from 1981 to 1994, inclusive; and the motion prevailed.
Accordingly at a quarter after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on the following Monday at eleven o'clock A.M., in an Informal Session.