

JOURNAL OF THE HOUSE.

Monday, November 28, 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).

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.

Appointment to a Special Commission.

The Speaker announced that he had appointed Representative Cantwell of Marshfield to the special commission on behavioral health promotion and upstream prevention established (under Section 193 of Chapter 133 of the Acts of 2016) to investigate evidence-based practices, programs and systems to prevent behavioral health disorders and promote behavioral health across the Commonwealth. Behavioral health promotion and upstream prevention.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Albert "Buddy" R. Allard, Jr. on his eightieth birthday; Albert R. Allard, Jr.

Resolutions (filed by Representatives Poirier of North Attleborough and Heroux of Attleboro) congratulating Aurelio "Sonny" Almeida on his retirement; Aurelio Almeida.

Resolutions (filed by Messrs. Cutler of Duxbury, Muratore of Plymouth and Calter of Kingston) commending the Massachusetts Police Accreditation Commission, Inc. on its twentieth anniversary; Police Accreditation Commission.

Resolutions (filed by Representatives DiZoglio of Methuen and Moran of Lawrence) congratulating Phyllis C. Tyler on the occasion of her eightieth birthday; Phyllis Tyler.

Resolutions (filed by Ms. Hogan of Stow) celebrating the fiftieth annual Maynard Christmas parade; Maynard,—parade.

Resolutions (filed by Messrs. Naughton of Clinton and Vieira of Falmouth) congratulating State Fire Marshal Stephen D. Coan on his thirty years of dedicated service to the Commonwealth; and Stephen Coan.

Resolutions (filed by Ms. Vincent of Revere) congratulating Angelo Luigi Tirro on the occasion of his one hundredth birthday; Angelo Tirro.

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. Garballey of Arlington, 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.

Mass DOT,—
performance
report.

The annual report of the Office of Performance Management and Innovation of the Massachusetts Department of Transportation (under Section 6(b) of Chapter 6C of the General Laws) submitting the agency’s performance report for fiscal year 2016, was placed on file.

Petition.

Francisco
Melendez,—
sick leave.

Mr. Scaccia of Boston presented a petition (subject to Joint Rule 12) of Angelo M. Scaccia for legislation to establish a sick leave bank for Francisco Melendez, an employee of the Department of Youth Services; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Automated
external
defibrillators.

The Senate Bill requiring automated external defibrillators in schools (Senate, No. 2449, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4719), with further amendments in section 1, in line 3, striking out the word “Each” and inserting in place thereof the following: “Notwithstanding section 27C of chapter 29 of the General Laws or any other general or special law to the contrary, each”;

In lines 16, 17 and 18, striking out the words “public schools a list of grants and other funding sources that a public school may access” and inserting in place thereof the words “school districts, vocational districts, charter schools, approved private day or residential schools and collaborative schools a list of grants and other funding sources that are available”;

In lines 19 to 26, inclusive, striking out the paragraphs contained in those lines and inserting in place thereof the following two paragraphs:

“(c) Any person, including an AED provider, who, in good faith, attempts to render emergency care under this section shall not be liable for acts or omissions in accordance with section 12V and 12V½ of chapter 112.

(d) The department of elementary and secondary education shall promulgate regulations and guidelines for the implementation, training, support and supervision of this section and shall collaborate with the department of public health to promulgate such regulations and guidelines.”; and

In section 3 (as amended by the House) striking out the following: “July 1, 2018” and inserting in place thereof the following: “September 1, 2017”.

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

Residential
exemptions.

The House Bill relative to the residential exemption (House, No. 4717), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for certain residential exemp-

tions, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment was correctly drawn; and it was adopted, in concurrence.

The House Bill protecting the rights of custodial and other non-teaching employees of school districts (House, No. 2319), 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 following:

Schools,—
collective
bargaining.

“Section 59B of chapter 71 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word ‘chapter’, in line 36, the following words:— ; provided, however, that the hiring, promotion and termination of employees in custodial, maintenance and other non-teaching positions shall be conducted in accordance with any governing collective bargaining agreement”.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

A petition (accompanied by bill, Senate, No. 2508) of Kathleen O’Connor Ives and James M. Kelcourse (with the approval of the mayor and city council) for legislation to authorize the city of Amesbury to issue three additional liquor licenses, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Amesbury,—
liquor
licenses.

Reports of a Committee.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Enise Pierre, an employee of the Department of Public Health (House, No. 4735).

Enise
Pierre,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Dek Lee, an employee of the Executive Office of Health and Human Services (House, No. 4736).

Dek Lee,—
sick leave.

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

Emergency Measures.

The engrossed Bill relative to the residential exemption (see House, No. 4717), 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.

Residential
exemption.

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 7 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.

Theresa
Casey,—
sick leave.

The engrossed Bill establishing a sick leave bank for Theresa Casey, an employee of the Massachusetts Rehabilitation Commission (see House, No. 4729), 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 LXXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 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 Bill.

Bill
enacted.

The engrossed Bill authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4530, 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.

Orders of the Day.

Third
reading
bill.

The Senate Bill relative to amphibious sight-seeing vehicle safety (Senate, No. 2473), 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
bills.

House bills

Amending the charter of the town of Nantucket relative to newspaper publication of town meeting warrants (House, No. 4318) (its title having been changed by the committee on Bills in the Third Reading);

Exempting all ranks of sworn police officers in the town of Grafton Police Department from the provisions of civil service law (House, No. 4603); and

Designating a certain intersection in the town of Pembroke as the James "Tiny" Brown Memorial Square (House, No. 4701);

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.

Recess.

Recess.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at seventeen minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M. Next
sitting.

At a quarter before twelve o'clock noon, on motion of Mr. Barrows of Mansfield (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.