

Thursday, July 12, 2018 (at 11:00 A.M.).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Creation and Recreation, we give You thanks for these pleasant summer days of low humidity. We give You thanks also for the care and concern our state government has shown its citizens as we note today marks the anniversary of the creation of the first public beach in the United States.

Prayer.

Revere Beach had been a jumble of private shanties and small stores until the then-newly created Metropolitan Parks Commission, the fore-runner of today's Department of Conservation and Recreation, took control of the land in 1895 and created a more natural setting for urban dwellers to escape the heat and the crowded cities of Boston and Lynn.

We pray for Revere's Representatives: 16th and 19th Suffolk District Roselee Vincent and Robert DeLeo and their staff.

May God continue to bless our Commonwealth.

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.

During the session (Mr. Cabral of New Bedford took the Chair), declared a brief recess and introduced the President of the National Assembly of Cape Verde, Jorge Pedro Maurício dos Santos, who addressed the House briefly. At the invitation of the Chair (Mr. Cabral), Mr. Carvalho of Boston, took the Chair and welcomed President Santos. President Santos was the guest of the Portuguese American Legislative Caucus.

Jorge Pedro
Maurício dos
Santos.

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 Vicki Lowe for her outstanding service and dedication to the community of Foxborough; and

Vicki
Lowe.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Jon Fuller on his retirement;

Jon
Fuller.

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

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 4750) of John W. Scibak (by vote of the town) relative to the position of appointed tax collector in the town of Hadley; and

Hadley,—
tax collector.

UNCORRECTED PROOF.

By the same member, a petition (accompanied by bill, House, No. 4751) of John W. Scibak (by vote of the town) relative to the position of appointed treasurer in the town of Hadley;

Hadley,—
treasurer.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Papers from the Senate.

Bills

Relative to the provision of group health insurance benefits in the town of Athol (Senate, No. 1418) (on a petition); and

Athol,—
health insurance.

Authorizing the town of Sturbridge to issue one additional license for the sale of all-alcoholic beverages not to be drunk on the premises at 122 Main Street (Senate, No. 2507) (on a petition) [Local Approval Received];

Sturbridge,—
liquor
license.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2596) of Marc R. Pacheco and Keiko M. Orrall (by vote of the town) for legislation to authorize the town of Berkley to grant an additional license for the sale alcoholic beverages not to be drunk on the premises. To the committee on Consume Protection and Professional Licensure.

Berkley,—
liquor
license.

Petition (accompanied by bill, Senate, No. 2597) of Ryan C. Fattman and Joseph D. McKenna (by vote of the town) for legislation to authorize the town of Sutton to grant real property abatements to certain military personnel. To the committee on Revenue.

Sutton,—
abatements.

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 petition of Susannah M. Whipps that the Department of Conservation and Recreation be authorized to release a watershed preservation restriction over a portion of certain land in the town of Petersham. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Petersham,—
land.

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

Designating a certain bridge in the town of Burlington as the Lance Corporal Gregory E. MacDonald memorial bridge (House, No. 4569);

Burlington,—
bridge.

To establish an appointed highway superintendent in the town of Groveland (House, No. 4620) [Local Approval Received];

Groveland,—
highway.

Authorizing the certification and appointment of Adam J. Silva as a firefighter in the town of Wilmington (House, No. 4631) [Local Approval Received]; and

Wilmington,—
Adam Silva.

Granting certain retirement benefits to fire fighter Scott Holt (House, No. 4676)

UNCORRECTED PROOF.

[Local Approval Received];

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

By Mr. Roy of Franklin, for the committee on Health Care Financing, that the Bill improving medical decision making (House, No. 4593), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Incapacitated persons,—
medical decisions.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, No. 4083, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of a certain House document concerning economic development (House, No. 4697).

Robotics center,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 4422, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning education (House, No. 4728).

School lunches,—
study.

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on House, No. 2891, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of a certain House document concerning capital reimbursements to a nursing facility (House, No. 4745).

Nursing facility reimbursements,—
study.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on House, No. 4165, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning campaign finance (House, No. 4698).

Campaign finance,—
study.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 2777, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning NPDES (House, No. 4699) [Representative Berthiaume of Spencer dissenting].

NPDES,—
study.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 653, 655, 662, 677, 705 and 3006, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning production and manufactured housing (House, No. 4740) [Representative Diehl of Whitman dissenting].

Production and manufactured housing,—
study.

By the same member, for the same committee, on House, Nos. 663, 664, 681, 682, 687, 688, 689, 693, 694, 697, 698, 699, 700, 701, 702, 2239, 2240, 2244, 3008, 3012, 3016, 3985 and 3986, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning condominiums (House, No. 4743). [Representative DeCoste of Norwell dissenting].

Condominiums, etc.,—
study.

By the same member, for the same committee, on House, Nos. 649, 654, 683, 2246, 3017, 3018, 3019 and 3541, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning expiring use (House, No. 4744).

Expiring use, etc.,—
study.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, on House, Nos. 1001, 1002, 1004, 1008, 1009, 1010, 1011, 1016, 1017, 1018, 1019, 1020, 1022, 1024, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1036, 1039, 1041, 1045, 1046, 1048, 1049, 2368, 2374, 2375, 3138, 3144, 3148, 3155, 3459, 3592, 3771 and 3893, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain

Labor and workforce development,—
study.

House documents concerning labor and workforce development (House, No. 4729).

By Ms. Benson of Lunenburg, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 1686, 1704 and 1729 and House, Nos. 1666, 1689, 1690, 1718, 2672, 3377 and 3814, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain Senate and House documents concerning state administration (House, No. 4683).

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Miss Gregoire of Marlborough, for the committee on Elder Affairs, on Senate, No. 2039 and House, No. 2077, a Bill relative to assisting elders and people with disabilities in the Commonwealth (House, No. 2077). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing Commercial Wharf East Condominium Association under the Tidelands Public Trust Doctrine and preventing residents from being forced to leave (House, No. 4505).

By the same member, for the same committee, on a petition, a Bill authorizing the town of Orleans to establish an affordable housing trust fund (House, No. 4645) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill to remove auditor position from city charter to instead create position under city ordinance, remove residency requirement, and to set term limits (House, No. 4652) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the powers and duties of the town manager in the town of Hanover (House, No. 4658) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill changing the name of the board of selectmen of the town of North Reading (House, No. 4690) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill amending the membership of the representative town meeting of Norwood (House, No. 4718) [Local Approval Received].

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

Motions to Discharge Certain Matters in the Orders of the Day.

The Senate Bill relative to the charter of the town of Sutton (Senate, No. 1131, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O'Day of West Boylston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Land, etc.,—
study.

Elders,—
assistance.

Boston,—
condominiums.

Orleans,—
affordable
housing.

Holyoke,—
auditor.

Hanover,—
town manager.

North Reading,—
board of
selectmen.

Norwood,—
town meeting.

Sutton,—
charter.

UNCORRECTED PROOF.

The House Bill providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (printed in House, No. 4573) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Housing,—
Bonds.

The House Bill providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (printed in House, No. 4668) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Life
sciences,—
bonds.

The House Bill providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (printed in House, No. 4669) (its title having been changed by the committee on Bills in the Third Reading), having been reported by said committee to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Cabral of New Bedford; and it was passed to be engrossed. Sent to the Senate for concurrence.

Capital
improvements,—
bonds.

Recess.

At fourteen minutes after eleven o'clock A.M., on motion of Mrs. Orrall of Lakeville (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-six minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That, notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Mariano of Quincy, Roy of Franklin, Hunt of Sandwich while said members are involved in conference committee negotiations during today's session.

Health care
bill conferees,—
voting.

Petition.

Mr. Petrolati of Ludlow being in the Chair,—

Mr. Gentile of Sudbury presented a petition (subject to Joint Rule 12) of Carmine L. Gentile and Jack Lewis that the town of Sudbury and the city of Framingham be authorized to expend funds for the purchase of land for the Bruce Freeman Rail Trail; and the same was referred, under Rule 24, to the committee on Rules.

Bruce Freeman
Rail Trail.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Gentile of Sudbury, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Economic

Development and Emerging Technologies. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill further regulating the disability benefits provided for certain police officers and fire fighters (House, No. 2515, amended) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, by said branch with an amendment striking out section 1 (as published) and inserting in place thereof the following section:

Disability
benefits.

“SECTION 3. Section 111F of chapter 41 of the General Laws, as amended by section 8 of chapter 161 of the acts of 2017, is hereby further amended by adding the following paragraph:-

The presumption established in section 94B of chapter 32 shall apply in determining eligibility for leave without loss of pay under this section when such leave is taken: (i) by a person serving in a position covered by both this section and said section 94B of said chapter 32; and (ii) as a result of a disabling condition of cancer identified in said section 94B of said chapter 32.”

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.

Reports of Committees.

By Mr. O’Day of West Boylston, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing 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 Land Bank, Nantucket Conservation Foundation, Inc., or Sconset Trust, Inc. for the same purposes (House, No. 4688) [Local Approval Received].

Nantucket,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Nantucket to transfer, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for water supply and water protection purposes to the town of Nantucket for roadway purposes (House, No. 4689) [Local Approval Received].

Id.

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

Mr. Murphy of Weymouth, for said committee, then reported that the bills be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Fernandes of Falmouth, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Mr. Donato of Medford in the Chair,—

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the city of Worcester to provide certain retirement and medical benefits to firefighter Brian Patrick Carroll (House, No. 4663) [Local Approval Received], be scheduled for consideration by the House.

Worcester,—
Brian Patrick
Carroll.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

UNCORRECTED PROOF.

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

Relative to the appointment of retired police officers in the town of Stoneham (House, No. 4581) [Local Approval Received]; and

Concerning the appointment of retired Salem police officers as special police officers within the city of Salem (House, No. 4705) [Local Approval Received];

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

Stoneham,—
special police.

Salem,—
special police.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Barbara Harrington, an employee of the Department of State Police (see House, No. 4484), 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 39 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.

Barbara
Harrington,—
sick leave.

Bill
enacted.

Engrossed Bills.

The engrossed Bill protecting the rights of custodial and other non-teaching employees of school districts (see House, No. 1390, 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 re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

Engrossed bills

Relative to the charter of the town of Sutton (see Senate, No. 1131, amended) (which originated in the Senate);

Further regulating the disability benefits provided for certain police officers and fire fighters (see House, No. 2515, amended); and

Authorizing the city of Newburyport to hold a special election for the purpose of accepting the terms of clause forty-first C¹/₂ of Section 5 of Chapter 59 of the General Laws (see House, No. 4249);

(Which severally originated in the House);

Severally were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to energy efficiency (House, No. 1724, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time

Energy
efficiency.

forthwith, under suspension of Rule 47, on motion of Ms. Benson of Lunenburg.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4749), which was read; and the amendment was adopted.

After remarks on the question on passing the substituted bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the Ms. Benson; and on the roll call 145 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 402 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4749) then was sent to the Senate for concurrence.

Bill passed to be engrossed,—
yea and nay
No. 402.

The House Bill authorizing the county of Dukes County to borrow funds to pay costs of wastewater treatment facility improvements, capital improvements and capital equipment at the Martha’s Vineyard Airport (House, No. 4506) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Falmouth.

Dukes County,—
Martha’s
Vineyard airport.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 3 and inserting in place thereof the following three sections:

“SECTION 3. The county commissioners of the county of Dukes County may raise and expend a sum not exceeding \$690,746 to pay costs of making various capital improvements at and acquiring items of capital equipment for the Martha’s Vineyard Airport, and for the payment of all other costs incidental and related thereto.

SECTION 4. For the purposes of section 3, the treasurer of the county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding in the aggregate \$690,746, and may issue bonds or notes of the county therefor, which shall be designated on their face Dukes County Airport Improvement Loan, Act of 2018. Each authorized issue shall constitute a separate loan and such loans shall be issued for not more than 30 years. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such bonds or notes at public sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Section 38 of chapter 35 of the General Laws shall not apply to the issuance of any bonds of the county pursuant to this section, and section 39B of chapter 35 of the General Laws shall not apply to the issuance by the county of any notes pursuant to this section in anticipation of bonds, or in anticipation of federal or state grants. Indebtedness incurred under this section shall, except as provided in this act, be subject to chapter 35 of the General Laws.

SECTION 5. This act shall take effect upon its passage.”

The amendment was adopted; and the bill (House, No. 4506, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Sharon to use of a certain parcel of land for general municipal purposes (House, No. 4633), having been reported by said the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton; and it was passed to be engrossed. Sent to the Senate for concurrence.

Sharon,—
land.

The House Bill relative to expanding resource efficiency in the Commonwealth (House, No. 4737), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Golden of Lowell.

Resource
efficiency.

After debate on the question on passing the bill to be engrossed, Messrs. Smizik of Brookline and Cutler of Duxbury moved to amend it in section 2, in line 17, by inserting after the word “shipped” the words “; and provided further, that the term ‘computer’ shall not include a tablet, a game console, a television, a device with an integrated and primary display that has a screen size of 20 square inches or less, a server other than a small-scale server, or an industrial computer”; and in section 16, in line 181, by striking out the following: “as adopted on December 14, 2016” and inserting in place thereof the words “as in effect on the date of enactment of this Act”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 403.

[See Yea and Nay No. 403 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4737, amended) then was sent to the Senate for concurrence.

The House Bill to improve grid resiliency through energy storage (House, No. 4739), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Golden of Lowell.

Energy
storage.

After remarks on the question on passing the bill to be engrossed, Mrs. Ferguson of Holden moved to amend it by adding the following four sections:

“SECTION 5. Said section 139 of said chapter 164, as so appearing, is hereby further amended by inserting after the word ‘charges’, in line 85, the second time it appears, the following words:- , including demand charges as part of a monthly minimum reliability contribution except as authorized under subsection (j).

SECTION 6. Said section 139 of said chapter 164, as so appearing, is hereby further amended by inserting after the word ‘system’, in line 150, the following words:- ; provided, however, that a distribution company shall not assess a demand charge unless it is a charge based on demand during a predetermined portion of the hours of a day defined as peak hours of system demand and unless the distribution company has informed all of its customers of the manner in which any such demand charges are assessed; and provided further, that a distribution company shall only assess a demand charge if metering functionality or technology is available to the customer at a reasonable cost to provide the customer with near real time access to electricity usage data.

SECTION 7. Said section 139 of said chapter 164, as so appearing, is hereby further amended by striking out, in lines 175 to 177, inclusive, the words ‘; provided that, the date designated by the department shall be not later than December 31, 2018’.

SECTION 8. Sections 5, 6 and 7 shall apply to any monthly minimum reliability contribution, including a monthly minimum reliability contribution approved by the department of public utilities to take effect on or before December 31, 2018. Any monthly minimum reliability contribution approved by the department of public utilities prior to the effective date of this section and said

sections 5, 6 and 7 that does not meet the requirements of said sections shall be refiled for review and approval by the department before taking effect.”.

The amendment was rejected.

Ms. Barber of Somerville and other members of the House then moved to amend the bill by inserting after section 3 the following two sections:

“SECTION 3A. Said Chapter 164 of the General Laws is hereby further amended by adding the following section:

Section 147. (a) For the purposes of this section, ‘lost and unaccounted for gas’ shall mean an amount of gas that is the difference between the total gas purchased by a gas company and the sum of: (i) total gas delivered to customers; and (ii) total gas used by a gas company in the conduct of its operations.

(b) The department shall issue regulations requiring all gas companies to report to the department, in a uniform manner, lost and unaccounted for gas for each year. Such standards shall include: (i) a method using operational and billing data to determine the total amount of lost and unaccounted for gas and to identify and measure each of its components; and (ii) a method using engineering characteristics and operational data to identify and measure all sources and locations where lost and unaccounted for gas occurs in the natural gas systems.

(c) The department may grant waivers from regulatory requirements as necessary for the development of innovative projects to reduce lost and unaccounted for gas. Such innovative projects shall be intended to reduce costs to ratepayers and to reduce greenhouse gas emissions. An application for a waiver shall include the goals of the innovative project, the expected cost, the expected benefit to ratepayers and the expected reduction in greenhouse gas emissions.

SECTION 3B. Section 147 of chapter 164 of the General Laws shall take effect on January 1, 2020; provided, however, that the regulations required to implement said section 147 of said Chapter 164 shall be promulgated and in effect not later than December 31, 2019.”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 404 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4739, amended) then was sent to the Senate for concurrence.

Mr. Petrolati of Ludlow in the Chair,—

The House Bill amending the charter of the city known as the town of Bridgewater (House, No. 4500), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. D’Emilia of Bridgewater.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4752), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to increase renewable energy and reduce high-cost peak hours (House, No. 4738), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules,

Bill passed to be engrossed,—
yea and nay
No. 404.

Bridgewater,—
charter.

Renewable
energy.

on motion of Mr. Golden of Lowell.

After remarks on passing the bill to be engrossed, Mr. McGonagle of Everett moved to amend it in section 6 by adding the following sentence: "Each annual increase shall be prospective for new customer contracts entered into by the retail electricity suppliers after the increase goes into effect."; and

In section 7, in line 48, by inserting after the word "department." the following sentence: "The initial application of this requirement and each annual increase shall be prospective for new customer contracts entered into by the retail electricity suppliers after the increase goes into effect.".

The amendments were adopted.

Mrs. Ferguson of Holden and other members of the House then moved to amend the bill in section 7 by adding the following paragraph: "(d) This section shall not apply to municipal lighting plants.".

The amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill in section 4, in line 23, by striking out the following: "Class 1"; and in line 24 by inserting after the following: "(c)" the following: "or (d)"; and the amendments were adopted.

Mr. Hecht of Watertown then moved to amend the bill in section 2, in line 13, by inserting after the word "time" the words ", including, but not limited to time-of-use rates for residential and small commercial and industrial customers"; and

In section 7, in lines 57 to 59, inclusive, by striking out the text contained in those lines and inserting in place thereof the following: "(iii) the establishment of a minimum percentage of clean peak certificates that must be derived from demand response resources; (iv) an alternative compliance mechanism for retail electricity suppliers; and (v) the procedures by which each retail electricity supplier shall annually submit for the department's review a filing demonstrating its compliance with the requirements of this section".

The amendments were adopted.

Mr. Dooley of Norfolk then moved to amend the bill by adding the following section:

"SECTION 10. (a) Notwithstanding any general or special law to the contrary, there shall be established a special commission to study and report on the advertising practices of the solar energy industry. The commission shall be composed of 7 members: 2 members of the House of Representatives, 1 of whom shall be appointed by the Speaker of the House and 1 of whom shall be appointed by the Minority Leader of the House; 2 members of the Senate, 1 of whom shall be appointed by the Senate President and 1 of whom shall be appointed by the Minority Leader of the Senate; and 3 members appointed by the Governor; 1 of whom shall be a representative of the solar energy industry, 1 of whom shall be a representative of the utility companies, and 1 of whom shall be an expert in the area of advertising and marketing law.

The scope of the commission shall include, but shall not be limited to studying the advertising practices of businesses and the major players in the solar energy industry, discovering any fraudulent or deceptive advertising or trade practices carried out by players in the solar energy industry, and making recommendations on changes, legislative and otherwise, to ensure that prospective and current consumers of the solar energy industry are adequately protected.

(b) The commission shall report the results of its investigation and its recommendations by filing a report with the Clerk of the Senate; the Clerk of the House of Representatives; the Department of Energy Resources; the Joint Committee on Consumer Protection and Professional Licensure; and the Joint

Committee on Telecommunications, Utilities and Energy no later than one year after the first meeting of the commission is convened.

(c) The commission shall conduct its first meeting no later than 60 days after the effective date of this act.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 35 members voted in the affirmative and 109 in the negative.

[See Ye and Nay No. 405 in Supplement.]

Therefore the amendment was rejected.

Mr. Mahoney of Worcester then moved to amend the bill in section 3, in line 18, by inserting after the word “operation” the following: “, or installed incremental new capacity at an existing energy storage system, as defined in section 1 of chapter 164.”; and the amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill by inserting after section 7 the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, the department of energy resources shall investigate the necessity, benefits and costs of requiring distribution companies, as defined in section 1 of chapter 164 of the General Laws, to conduct additional offshore wind generation solicitations and procurements of up to 1,600 megawatts of aggregate nameplate capacity, by December 31, 2035 in addition to those required by chapter 169 of the Acts of 2008, as amended by chapter 188 of the Acts of 2016. The department shall determine whether additional solicitations and procurements are necessary to meet the commonwealth’s energy policy goals, including the goals of chapters 169 and 298 of the Acts of 2008. The department shall make recommendations that include, but are not limited to: (i) improvements to the procurement process outlined in chapter 188 of the acts of 2016; (ii) the effect on commercial fisheries and operations; (iii) the impact on ratepayers, including distribution customers; and (iv) the potential economic benefits of such a procurement. The department shall file the report with the house and senate clerks and the joint committee on telecommunications, utilities and energy no later than July 31, 2019.”

The amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 6, in line 35, by striking out the date: “December 31, 2020” and inserting in place thereof the date: “July 31, 2019”; and in line 36 by striking out the date: “December 31, 2030” and inserting in place thereof the date: “July 31, 2029”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Golden of Lowell; and on the roll call 146 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 406 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 4756, published as amended) then was 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 Monday next at eleven o’clock A.M.

Amendment
rejected,—
yea and nay
No. 405.

Bill passed to
be engrossed,—
yea and nay
No. 406.

Next
sitting.

Messrs. Crocker of Barnstable, Hunt of Sandwich and Whelan of Brewster moved that when the House adjourns today, it do so in respect to the memory of John F. Alymer, a member of the Senate from the Cape, Plymouth and Islands District from 1971 to 1982, inclusive; and the motion prevailed.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-seven minutes before seven o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.