

JOURNAL OF THE HOUSE.

Monday, March 7, 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.

Resolutions.

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

Attleboro,—
Methodist church.

Resolutions (filed by Representatives Poirier of North Attleborough and Heroux of Attleboro) congratulating the Centenary United Methodist Church of Attleboro on its one hundred fiftieth anniversary;

Theodore Joubert.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Theodore "Ted" Joubert on the occasion of his retirement as fire chief for the town of North Attleborough; and

Edward Sheridan.

Resolutions (filed by Mr. Naughton of Clinton) congratulating Edward M. Sheridan on twenty years of volunteer service to the town of Clinton;

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

Petitions.

Hingham,—
fund.

Mr. Bradley of Hingham presented a petition (accompanied by bill, House, No. 4051) of Garrett J. Bradley (by vote of the town) that the town of Hingham be authorized to establish a reserve fund in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Education,—
local resources.

By Mr. Rogers of Norwood, a petition (subject to Joint Rule 12) of John H. Rogers and others for legislation to promote educational resource allocation decisions at the local level.

New Salem,—
land.

By Mrs. Whipps Lee of Athol, a petition (subject to Joint Rule 12) of Susannah M. Whipps Lee that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel land in the town of New Salem.

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

Papers from the Senate.

Health disparities.

The House Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 3969, amended) (its title having been

changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2143, amended in section 4, in line 34, inserting after the word "development" the words "including the division of insurance", in line 40, inserting after the word "healthcare" the words "and health insurance", in line 43, striking out the following: "and (vii)" and inserting in place thereof the following: "(vii) food and nutrition access and quality; and (viii)"; and striking out the title and inserting in place thereof the following title: "An Act eliminating health disparities.". The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Relative to the Architectural Access Board (Senate, No. 1323, amended by striking out section 27 and inserting in place thereof the following section:

Architectural Access Board.

"SECTION 27. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out the definition of 'Public building' and inserting in place thereof the following definition:—

'Public building', buildings constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, including, but not limited to, the places of public accommodation listed in 28 CFR 36.104.") (on a petition);

Relative to the hiring of persons with a disability (Senate, No. 2166) (on Senate bill No. 2142, amended);

Disabled,—
hiring.

Eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 2167) (on Senate bill No. 2140, amended); and

Disabled,—
archaic language.

Updating terminology and investigative practices related to the protection of persons with a disability (Senate, No. 2168) (on Senate bill No. 2141, amended);

Disabled,—
protection.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill establishing a sick leave bank for Jesse B. Walker, an employee of the Trial Court (Senate, No. 2129, amended by inserting before the enacting clause the following emergency preamble:

Jesse B. Walker,—
sick leave.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition), passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Petition (accompanied by bill, Senate, No. 2170) of Michael D. Brady for legislation relative to local public housing authorities access to the dental insurance plan managed by the group insurance commission. To the committee on the Public Service.

Housing authorities,—
dental insurance.

Municipal lobbying policy.

Petition (accompanied by bill, Senate, No. 2169) of Michael D. Brady, Chris Walsh, James B. Eldridge, Linda Dean Campbell and others for legislation relative to the establishment of a Massachusetts municipal lobbying policy. To the committee on Administration and Regulatory Oversight.

Reports of Committees.

Ride for hire,—procedures.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to the ride for hire industry [House, No. 4049] (for order, see House, No. 4050), ought to be adopted. The order was considered forthwith; and it was adopted.

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:

Benzodiazepines.

Petition (accompanied by bill) of Paul McMurtry and others relative to benzodiazepines and non-benzodiazepine hypnotics. To the committee on Mental Health and Substance Abuse.

Dracut,—land.

Petition (accompanied by bill of Colleen M. Garry for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey an easement over a certain parcel of land in the town of Dracut. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the joint committee on Ways and Means, asking to be discharged from further consideration:

Legislation,—unfunded mandates.

Of the petition (accompanied by bill, House, No. 3177) of James Arciero, Jonathan D. Zlotnik and Geoff Diehl for legislation to require that fiscal notes be attached to legislation providing unfunded mandates on municipal governments;

Legislative budget office.

Of the petition (accompanied by bill, House, No. 3178) of Jay R. Kaufman and others for legislation to establish a legislative budget office;

Appropriation bills,—estimates.

Of the petition (accompanied by bill, House, No. 3179) of Jay R. Kaufman for legislation to require estimated amounts of appropriations for a subsequent fiscal year on appropriation bills;

Ways and Means committees,—hearings.

Of the petition (accompanied by bill, House, No. 3180) of Shaunna L. O’Connell and others for legislation to require the House and Senate committees on Ways and Means to conduct public hearings on proposed legislation to establish, increase or expand taxes or fees;

Snow removal,—liability.

Of the petition (accompanied by bill, House, No. 3181) of David T. Vieira for legislation to authorize the incurring of liability and expenditures in excess of available appropriations for snow and ice removal; and

Local aid,—distributions.

Of the petition (accompanied by bill, House, No. 3182) of Timothy R. Whelan, Timothy R. Madden and Bruce E. Tarr relative to the distribu-

tion of funds to the Gaming Local Aid Fund and the Local Aid Stabilization Fund;

And recommending that the same severally be referred to the House committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, insofar as relates to the discharge of the joint committee.

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:

Relative to the appointment of special police officers in the town of Bridgewater (House, No. 3686) [Local Approval Received]; and

Bridgewater,—special police.

Establishing a sick leave bank for Eyma Sutton, an employee of the Department of Children and Families (House, No. 4036);

Eyma Sutton,—sick leave.

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

By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill relative to the disclosure of toxic chemicals in children’s products (House, No. 697).

Children’s products,—chemicals.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on a petition, a Bill relative to increasing access to psychological services (House, No. 1784, changed in line 4 by inserting after the word “psychologists” the words “and licensed independent clinical social workers”);

Psychological services,—MassHealth.

By the same member, for the same committee, on a petition, a Bill relative to expanding access and safety of mental health services (House, No. 1787).

Mental health services.

By the same member, for the same committee, on a petition, a Bill establishing a behavioral health workforce development trust fund (House, No. 1788).

Workforce trust fund.

By the same member, for the same committee, on a petition, a Bill relative to Health Policy Commission oversight of insurer transactions (House, No. 1807).

Health Policy Commission.

By the same member, for the same committee, on a petition, a Bill to promote accessibility and affordability of behavioral health and substance abuse services for recipients of MassHealth (House, No. 1812).

MassHealth,—services.

By the same member, for the same committee, on a petition, a Bill to require equitable payment from the Commonwealth (House, No. 1819).

MassHealth,—payments.

By the same member, for the same committee, on a petition, a Bill creating a special commission on applied behavior analysis (House, No. 1823).

Applied behavior.

By the same member, for the same committee, on a petition, a Bill relative to improving mental health care through innovation (House, No. 3461).

Mental health care.

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

Ride for hire industry.	<p>By Mr. Michlewitz of Boston, for the committee on Financial Services, on Senate, No. 559 and House, Nos. 931, 3351 and 3702, a Bill relative to the ride for hire industry (House, No. 4049). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.</p> <p>Subsequently Mr. Galvin of Canton, for said committees, reported that the foregoing bill ought to pass. Referred, under Rule 33, to the committee on Ways and Means.</p>	<p>By the same member, for the same committee, on a petition, a Bill to ensure adequate handicapped parking (House, No. 1839).</p> <p>By the same member, for the same committee, on a petition, a Bill relating to the issuance of temporary notes by cities, towns and districts (House, No. 1851).</p>	<p>Handicapped parking.</p> <p>Municipal notes.</p>
Middlesex Canal Commission.	<p>By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to Middlesex Canal Commission (House, No. 724). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.</p>	<p>By the same member, for the same committee, on a petition, a Bill relative to streamlining municipal finance (House, No. 1852).</p> <p>By the same member, for the same committee, on a petition, a Bill extending municipal bonding terms for local infrastructure development programs (House, No. 1854).</p>	<p>Municipal finance.</p> <p>Municipal bonding,— infrastructure.</p>
Septic installers.	<p>By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to septic installers (House, No. 691).</p>	<p>By the same member, for the same committee, on a joint petition, a Bill relative to parking advancements for the revitalization of communities (PARC) (House, No. 1855).</p> <p>By the same member, for the same committee, on a petition, a Bill relative to vacant and abandoned property in the Commonwealth (House, No. 1860).</p>	<p>Municipal parking,— advancements.</p> <p>Abandoned property.</p>
Consumer products.	<p>By the same member, for the same committee, on Senate, No. 397 and House, No. 696, a Bill for healthy families and businesses (House, No. 696).</p>	<p>By the same member, for the same committee, on a petition, a Bill relative to handicap automobile licenses or placards (House, No. 1861).</p>	<p>Handicap placards.</p>
Green banks program.	<p>By the same member, for the same committee, on a petition, a Bill establishing a green banks program (House, No. 706).</p>	<p>By the same member, for the same committee, on a petition, a Bill relative to authorizing governmental bodies and other approved parties to use shared legal representation and consultants in matters of common interest (House, No. 1863).</p>	<p>Municipal shared legal representation.</p>
Pet grooming,— licensure.	<p>By the same member, for the same committee, on House, No. 634, a Bill relative to pet grooming (House, No. 4046).</p>	<p>By the same member, for the same committee, on a petition, a Bill relative to the effective enforcement of municipal ordinances and bylaws (House, No. 1864).</p>	<p>Handicap placards.</p>
Saugus,— Wheelabrator facility.	<p>By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the licensing of a certain facility by the Department of Environmental Protection (House, No. 770).</p>	<p>By the same member, for the same committee, on House, No. 3707, a Bill relative to regional school district instructors [sic] service as an elected official in the city of New Bedford (House, No. 4045) [Local Approval Received].</p>	<p>Municipal ordinances.</p>
Unfunded mandates,— study.	<p>By the same member, for the same committee, on a petition, a Bill creating a commission to study the effects of unfunded mandates on municipalities (House, No. 1845).</p>	<p>By the same member, for the same committee, on a petition, a Bill relative to aggregated gas power (House, No. 3529).</p>	<p>New Bedford,— regional school employees.</p>
Eastern Regional Commission on women and girls.	<p>By the same member, for the same committee, on a petition, a Bill establishing an eastern regional commission on the status of Women and girls (House, No. 3463, changed in line 10 by striking out the words "municipalities located within Norfolk and Suffolk county" and inserting in place thereof the words "all municipalities located within Norfolk and Suffolk Counties, and the cities of Everett, Malden, Medford and Melrose, located in Middlesex County").</p>	<p>By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to aggregated gas power (House, No. 3529).</p>	<p>Gas power,— aggregation.</p>
Private utility construction contracts.	<p>By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1779 and House, No. 2858, a Bill relative to transparency in private utility construction contracts (House, No. 2858).</p> <p>Severally read; and referred, under Rule 33, to the committee on Ways and Means.</p>	<p>Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.</p>	<p>By Mr. Golden of Lowell, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to aggregated gas power (House, No. 3529).</p>
Shellfish reefs and water.	<p>By Mr. Schmid of Westport, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to shellfish reefs and water quality (House, No. 734).</p>	<p>By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:</p> <p>The Senate Bill further regulating condominium associations (Senate, No. 723, amended); and</p> <p>The House Bill relative to the use of glyphosate by utility companies and/or government entities on land located within, on, or above a federally-designated sole source aquifer (House, No. 717);</p> <p>Severally placed in the Orders of the Day for the next sitting for a second reading.</p>	<p>Condominium associations.</p> <p>Utility companies,— glyphosate.</p>
Town officers,— contracts.	<p>By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relating to contracts for certain town officers (House, No. 1832).</p>	<p><i>Emergency Measures.</i></p> <p>The engrossed Bill establishing a sick leave bank for Robert Albany, an employee of the Department of Correction (see Senate, No. 2073, 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.</p>	<p>Robert Albany,— sick leave.</p>

Robert Albany,—
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 3 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Uniform Interstate Family Support Act.

The engrossed Bill to comply with the Uniform Interstate Family Support Act (see House bill printed in House, No. 3848, 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 4 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 Bills.

Engrossed bills

Bills enacted.

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 3768, amended);

Authorizing the town of Canton to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises (see House, No. 3769, amended); and

Authorizing the town of Hull to issue certain bonds for terms of 30 years (see House, No. 3855);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third reading bill.

The Senate Bill further regulating certain affordable housing in the East Boston section of the city of Boston (Senate, No. 1966), 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.

Id.

The House Bill relative to the town of Mattapoisett general by-laws (House, No. 3924) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill designating a certain bridge in the town of Harwich as the U.S. Navy Lieutenant Junior Grade Ralph Wallace Burns Memorial Bridge (House, No. 3801, changed) (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.

Ralph Wallace Burns Memorial bridge.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 (as published), in line 1, by striking out the following: "on U.S. highway route 6, spanning state highway route 124" and inserting in place thereof the following: "; designated by the Massachusetts Department of Transportation as H-10-013 (49V) on highway route 124 spanning U.S. highway route 6"; by striking out section 2; 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 designate forthwith a certain bridge in the town of Harwich as the U.S. Navy Lieutenant Junior Grade Ralph Wallace Burns Memorial Bridge, 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. 3801, changed and 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 Wednesday next at eleven o'clock A.M.

Next sitting.

At twenty-two minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.