

JOURNAL OF THE HOUSE.

Wednesday, June 3, 2015.

Met according to adjournment, at eleven o'clock A.M., 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.

Guests of the House.

Peabody,—
John E.
McCarthy
School.

At the beginning of the session, the Chair (Mr. Donato of Medford) introduced, seated in the House Chamber, 5th grade students from the John E. McCarthy School in Peabody, they were the guests of Ms. Cole of Peabody. The students and chaperones then participated in leading the House in the pledge of allegiance to the flag.

Petitions.

Springfield,—
land.

Mr. Swan of Springfield presented a petition (accompanied by bill, House, No. 3562) of Domenic J. Sarno, Mayor and Wayman Lee, Esq., City Clerk (with the approval of the mayor and city council) that the city of Springfield be authorized to convey a certain parcel of land in said city; 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:

Pharmaceutical
discounts.

By Mr. Fernandes of Milford, a petition (subject to Joint Rule 12) of John V. Fernandes and Frank A. Moran relative to discounts for prescription drugs.

Carol Gulino,—
sick leave.

By Representative Heroux of Attleboro and Senator Timilty, a joint petition (subject to Joint Rule 12) of Paul R. Heroux for legislation to establish a sick leave bank for Carol Gulino, an employee of the Massachusetts Rehabilitation Commission.

Michela T.
Paone-Stuart,—
sick leave.

By Mr. Moran of Lawrence, a petition (subject to Joint Rule 12) of Frank A. Moran for legislation to establish a sick leave bank for Michela T. Paone-Stuart, an employee of the Department of Correction.

Catherine
Kungu,—
sick leave.

By Mr. Nangle of Lowell, a petition (subject to Joint Rule 12) of David M. Nangle for legislation to establish a sick leave bank for Catherine Kungu, an employee of the Department of Developmental Services.

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

Papers from the Senate.

Malden,—
Stadium and
Athletic Field
Commission.

The House Bill amending the composition of the Stadium and Athletic Field Commission in the city of Malden (House, No. 3194), came from the Senate passed to be engrossed, in concurrence, with an

amendment striking out section 2 and inserting in place thereof the following two sections:

“SECTION 2. On the effective date of this act, the terms of all current members of the commission shall expire and the new members of the commission shall be appointed according to this act; provided, however, that a current member of the commission may be reappointed.

SECTION 3. This act shall take effect upon its passage.”.

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

A Bill authorizing the town of Randolph to designate a check-off box on its tax bills (Senate, No. 23) (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.

Randolph,—
tax bills.

A petition (accompanied by bill, Senate, No. 1927) of Benjamin B. Downing and Paul W. Mark (by vote of the town) for legislation to authorize the town of Dalton to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Dalton,—
alcoholic
beverages.

A petition (accompanied by bill) of Anthony W. Petruccelli and RoseLee Vincent for legislation to establish a sick leave bank for Teresa Amato, an employee of the Executive Office of Health and Human Services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Teresa
Amato,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1932) was referred, in concurrence, to the committee on Public Service.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Rachel Zwetchenbaum, an employee of the Department of Unemployment Assistance (see House, No. 3190, 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.

Rachel
Zwetchen-
baum,—
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.

Recess.

At four 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 until one o'clock P.M.; and at a quarter after one o'clock, the House was called to order with Mr. Donato in the Chair.

Recess.

Resolutions.

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

Sean Eykel. Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Sean Eykel on receiving the Eagle Award of the Boy Scouts of America;

Bruce Montgomery. Resolutions (filed by Representatives Barrows of Mansfield, Howitt of Seekonk, Kafka of Stoughton and Poirier of North Attleborough) congratulating Bruce Montgomery on his retirement from the Mansfield Xfinity Center;

Ashley Hobart. Resolutions (filed by Mr. Fernandes of Milford) congratulating Ashley Hobart on receiving the Eagle Award of the Boy Scouts of America;

Thommy Thomas. Resolutions (filed by Mr. Fernandes of Milford) congratulating Thommy Thomas on receiving the Eagle Award of the Boy Scouts of America;

Carleton Coffin. Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Carleton Heromin Coffin on receiving the Eagle Award of the Boy Scouts of America;

Michael Falker Scholarship. Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) celebrating the establishment of the Michael Falker Scholarship Fund;

Ernest R. Pellegrino. Resolutions (filed by Mr. Lawn of Watertown) congratulating Ernest R. Pellegrino on receiving the Eagle Award of the Boy Scouts of America;

Alex Cariofiles. Resolutions (filed by Mr. McMurtry of Dedham) congratulating Alex Cariofiles on receiving the Eagle Award of the Boy Scouts of America;

Ty Walko. Resolutions (filed by Mr. McMurtry of Dedham) congratulating Ty Walko on receiving the Eagle Award of the Boy Scouts of America;

Emma L. Machado. Resolutions (filed by Messrs. Muratore of Plymouth and Calter of Kingston) congratulating Emma L. Machado on being named the Grand Worthy Advisor of the Grand Assembly of Massachusetts International Order of the Rainbow for Girls;

Nathaniel Pinkham. Resolutions (filed by Mr. Roy of Franklin) congratulating Nathaniel Louis Pinkham on receiving the Eagle Award of the Boy Scouts of America;

University Professors. Resolutions (filed by Mr. Sannicandro of Ashland) commending the American Association of University Professors;

Alex K. Bisson. Resolutions (filed by Mr. Stanley of Waltham) congratulating Alex K. Bisson on receiving the Eagle Award of the Boy Scouts of America;

David J. Bourque. Resolutions (filed by Mr. Stanley of Waltham) congratulating David J. Bourque on receiving the Eagle Award of the Boy Scouts of America;

Maximilian P. Ferguson. Resolutions (filed by Mr. Stanley of Waltham) congratulating Maximilian P. Ferguson on receiving the Eagle Award of the Boy Scouts of America;

Mads L. Fuller. Resolutions (filed by Mr. Stanley of Waltham) congratulating Mads L. Fuller on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. Stanley of Waltham) congratulating Jason T. Gonsalves on receiving the Eagle Award of the Boy Scouts of America; and

Jason T. Gonsalves.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Arthur D. Papazian Jr., on receiving the Eagle Award of the Boy Scouts of America;

Arthur D. Papazian, Jr.

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

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 James J. O'Day relative to accidental death benefits. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Accidental death benefits.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the Community Preservation Committee in the town of Nantucket (House, No. 1859) [Local Approval Received], be scheduled for consideration by the House.

Nantucket,—Community Preservation Committee.

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

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill relative to line-of-duty death and survivor benefits (House, No. 2286).

Survivor and death benefits.

By the same member, for the same committee, on a petition, a Bill relative to the collective bargaining rights for employees of the Committee for Public Counsel Services (House, No. 2374) [Representative Whelan of Brewster dissenting].

Public counsels,—bargaining.

By Mr. Murphy, for the same committee, on a petition, a Bill relative to the Office of Senior Justice (House, No. 2378).

Senior Justice.

By the same member, for the same committee, on a petition, a Bill relative to providing the next of kin of a state police officer killed in the line of duty with a flag during the memorial service (House, No. 2413).

State police,—flags.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill authorizing the town of Acton police patrol officers and superior officers to be exempt from the provisions of the Civil Service Law (House, No. 2202) [Local Approval Received] [Representative DuBois of Brockton dissenting].

Acton,—police.

Boston,—
retired
police.

By Mr. Murphy, for the same committee, on a petition, a Bill relative to retired Boston police officers (House, No. 2339) [Local Approval Received].

Williamsburg,—
Paul
Sanderson.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Williamsburg to continue the employment of firefighter Paul Sanderson (House, No. 3191) [Local Approval Received].

Stoughton,—
public
works.

By the same member, for the same committee, on a petition, a Bill exempting certain employees of the department of public works in the town of Stoughton from the civil service law (House, No. 3280) [Local Approval Received] [Representative DuBois of Brockton dissenting].

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

Orders of the Day.

Third
reading
bill.

The Senate Bill establishing a sick leave bank for Ellen Carlson, an employee of the Department of Developmental Services (Senate, No. 39), 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
bill amended.

The House Bill relative to school improvement plans (House, No. 391) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Section 59C of chapter 71 of the General Laws, as so appearing, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:—

The principal of each school, in consultation with the school council established pursuant to this section, shall on an annual basis, in conformity with the provisions of section 11 of chapter 69, develop and submit to the district superintendent a plan for improving student performance. The superintendent shall review and recommend the plan to the school committee for review and approval; provided, however, that a school committee may designate the superintendent to review and approve the plan on its behalf. Plans shall be prepared in a manner and form prescribed by the department of elementary and secondary education and shall conform to any policies and practices of the district consistent therewith. Action to approve or disapprove a school improvement plan shall be completed within 45 days of the recommendation from the superintendent; otherwise the plan shall be deemed to have been approved. In the event that the superintendent does not recommend the plan, the plan shall be returned to the principal who shall, after consultation with the school council, resubmit the plan to the superintendent who shall review and recommend the plan to the school committee for approval, consistent with any comments of the superintendent and the school committee. Failing such plan recommendation by the superintendent by July 1 of each year, or such approval by the school committee by August 16 of each year, a subcommittee consisting of the school committee chair or other member designated by the chair, the superin-

tendent, or his designee, and a parent member of the school council chosen by the school council may establish the plan.”. The report was accepted.

The amendment then was adopted; and the bill (House, No. 391, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Resolutions.

The Speaker being in the Chair,—

Resolutions (filed by Mr. McKenna of Webster and other members of the House) on the celebration of National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week, were referred, under Rule 85, to the committee on Rules. National
Cardiopul-
monary
Resuscitation
Awareness
Week.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. McKenna, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and after remarks they were adopted.

Order.

On motion of Mrs. Haddad of Somerset,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next
sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at eight minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.