

JOURNAL OF THE HOUSE.

Monday, June 13, 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.

Silent Prayer.

At the request of the Chair (Mr. Donato of Medford), the members, guests and employees rose for a moment of silent tribute to the memory of the victims of the Orlando Nightclub Massacre. The attack claimed the lives of forty-nine victims and injured an additional fifty-three innocent people. The House of Representatives extended its deepest condolences and prayers to the families of the victims, and to all those touched by this tragic event. Orlando Nightclub Massacre.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced, seated in the House Chamber, students from the Abigail Adams Middle School in Weymouth. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Murphy of Weymouth. Weymouth,—
Abigail Adams
Middle School.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Allen McRae on being named one of the Littleton Council on Aging's Volunteers of the Year; Allen
McRae.

Resolutions (filed by Mr. Arciero of Westford) congratulating Barbara J. McRae on being named one of the Littleton Council on Aging's Volunteers of the Year; Barbara
McRae.

Resolutions (filed by Ms. Hogan of Stow) congratulating Karen Kelleher on the occasion of her retirement from the town of Stow; Karen
Kelleher.

Resolutions (filed by Mr. Linsky of Natick) on the occasion of the dedication of the Barber Brothers Square in the town of Natick; and Natick,—
Barber
Square.

Resolutions (filed by Mrs. O'Connell of Taunton) honoring Rev. Timothy P. Reis for his eighteen years of service as a pastor in the city of Taunton; Timothy
Reis.

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

Orders.

The following order (filed by Ms. Benson of Lunenburg) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Friday, July 1, 2016, within which time to make its final report on a current House document numbered 4188.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4396), ought to be adopted. Under suspension of the rules, on motion of Ms. Benson, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Schmid of Westport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Thursday, June 30, 2016, within which time to make its final report on a current House document numbered 4254.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4391), ought to be adopted. Under suspension of the rules, on motion of Mr. Schmid, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Bills

Relative to a moratorium on hydraulic fracturing (Senate, No. 2309, amended by adding the following section:

“SECTION 5. Notwithstanding any general or special law to the contrary, no new natural gas compressor stations shall be located in an area which is less than 0.6 miles in linear distance from: (i) a playground; (ii) a licensed day care center; (iii) a school; (iv) a church; (v) an environmental justice population neighborhood; (vi) an area of critical environmental concern as determined by the secretary of environmental affairs under 301 CMR 12.00; (vii) a waterway preserved and protected for water-dependent uses under chapter 91; or (viii) an area occupied by residential housing. Linear distance shall be measured from any point along a natural gas compressor station to the outermost point of buildings or areas in clauses (i) to (viii), inclusive; provided, however, that repairs or replacements that do not increase the capacity of a natural gas compressor station in operation prior to January 1, 2017, shall not be subject to this section. For the purposes of this section, ‘environmental justice population neighborhood’ shall mean a neighborhood with an annual median household income of not more than 65 per cent of the statewide median income or with a segment of the population that consists of residents that is not less than 25 per cent minority, foreign born or lacking in English language proficiency based on the most recent United States census.”) (on Senate bill No. 457); and

Consumer Protection and Professional Licensure committee,—extension of time for reporting.

Environment, Natural Resources and Agriculture committee,—extension of time for reporting.

Hydraulic fracturing.

Relative to public space recycling (Senate, No. 2310, amended in section 1, in line 5, by inserting after the following: “29.” the following two sentences: “Carpet”, a manufactured article that is used in commercial or residential building that is affixed or placed on the floor or walking surface in the building as a decorative or functional interior feature and this is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts attached to a backing system derived from synthetic or natural materials, including broadloom and carpet tiles; provided, however, that ‘carpet’ shall not include a rug, pad, cushion or underlayment.”, in line 46, by striking out the following: “and (xi) construction and demolition material” and inserting in place thereof the following: “(xi) construction and demolition material; and (xii) carpets”; and, in line 56, by striking out the word “and”, and, in line 57, by inserting after the following: “(b)” the following: “; and (iv) costs related to the leading by example program”).

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 report of the committee on Public Service, recommending that the report of the State Retirement Benefits Board of Trustees (pursuant to Section 24A of Chapter 32A of the General Laws) submitting proposed amendments to the declaration of trust (Senate, No. 9), be placed on file, accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

A petition (accompanied by bill, Senate, No. 2322) of Benjamin B. Downing and Paul W. Mark (by vote of the town) for legislation to provide for recall elections in the town of Hawley, was referred, in concurrence, to the committee on Election Laws.

Reports of Committees.

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 to modernize municipal finance and government [House, No. 4331] (for order, see House, No. 4404). 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 petition of Tackey Chan and others that the Division of Medical Assistance be authorized to include dentures, restorative, endodontic and periodontal treatment within its covered services for certain persons ages 65 and older. 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 Elder Affairs. Sent to the Senate for concurrence.

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by

Recycling,—public spaces.

Retirement Benefits Board,—amendments.

Hawley,—elections.

Municipal finance, etc.—procedures.

Seniors,—dental benefits.

Medical care,—compensation.

Medical care,— compensation. bill, House, No. 3472) of Brian R. Mannal relative to compensating providers of medical or supervisory care to family members,— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Municipal finance. By Mr. Dempsey of Haverhill, for the committee on Ways and Means, on the bill (House, No. 4032), the bill (House, No. 4207), the bill (House, No. 4226), the bill (House, No. 4275), and the bill (House, No. 4331), that the Bill to modernize municipal finance (House, No. 4331), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4397). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Senior health. By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to protecting senior health (House, No. 1917).

Prescription medication. By the same member, for the same committee, on a petition, a Bill relative to the availability of prescription medication during an emergency (House, No. 1988).

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

Law enforcement councils. By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, No. 1636, a Bill to add law enforcement councils to the Massachusetts Tort Claims Act (House, No. 4393).

Sexual offenders. By the same member, for the same committee, on House, No. 2145, a Bill relative to the creation of the interagency council on management of adult and juvenile sexual offenders (House, No. 4395).

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following matters ought to pass:

Bills
Relative to the establishment of a county stabilization fund (Senate, No. 1064);

County fund. Providing for a study of the necessity of certain snow safety procedures (House, No. 3833);

Snow safety. Authorizing the Division of Capital Asset Management and Maintenance to grant easements (House, No. 4101); and

Aberjona River. Relative to Belchertown (House, No. 4131); and the

Belchertown. Resolve creating a special commission to study the effects of coastal and ocean acidification and its existing and potential effects on species that are commercially harvested and grown along the Massachusetts coast (House, No. 716);

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill regulating notaries public to protect consumers and the validity and effectiveness of recorded instruments (Senate, No. 2064), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4398.

Notaries,— regulations.

By the same member, for the same committee, that the Bill to regulate appraisal management companies (House, No. 947), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4399). management companies.

Appraisal management companies.

By the same member, for the same committee, that the Bill relative to employees of the Department of Fire Services (House, No. 2428), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4400).

Fire services department.

By the same member, for the same committee, that the Bill relative to the architect laureate (House, No. 2931), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4401).

Architect laureate.

By the same member, for the same committee, that the Bill authorizing the Department of Fish and Game to acquire land of the town of Townsend (House, No. 3748), ought to pass with an amendment in section 2, in line 13, by striking out the following: "Within 15 days following the submittal, the" and inserting in place thereof the word "The".

Townsend,— land.

By the same member, for the same committee, that the Bill relative to ABLE accounts (House, No. 3753), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4402).

ABLE accounts.

By the same member, for the same committee, that the Bill authorizing Quincy College to confer baccalaureate degrees (House, No. 4061), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4403).

Quincy College.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, Nos. 1568, 1569, 1572 and 1653, a Bill relative to the reform of archaic laws implicating tramps, vagrants, and vagabonds (House, No. 4392).

Archaic laws.

By the same member, for the same committee, on House, No. 3252, a Bill relative to criminal record checks for referees (House, No. 4394).

Referees,— criminal records.

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

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill to protect locked out employees (printed as Senate, No. 2172), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Employee,— rights.

Orders of the Day.

Second
reading
bills.

House bills
Protect bicyclists in bicycle lanes (House, No. 3072); and
To protect vulnerable road users (House, No. 3073);
Severally were read a second time; and they were ordered to a third
reading.

Patricia
Barry,—
sick leave.

The House Bill establishing a sick leave bank for Patricia Barry, an
employee of the Department of Public Health (House, No. 4266),
reported by the committee on Bills in the Third Reading to be correctly
drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis
of Danvers moved to amend it 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 sick leave bank for a certain
employee of the department of public health, therefore it is hereby
declared to be an emergency law, necessary for the immediate preserva-
tion of the public convenience.”*

The amendment was adopted; and the bill (House, No. 4266, amended)
was passed to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

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

At twenty-four minutes after eleven o'clock A.M., on motion of
Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair),
the House adjourned, to meet the following Wednesday at eleven
o'clock A.M.