

JOURNAL OF THE HOUSE.

Thursday, October 9, 2014.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), 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:

Timothee C.
Rodrique.

Resolutions (filed by Mr. Peterson of Grafton) commending Timothee C. Rodrique for his dedicated service to the Department of Fire Services;

Foxborough,—
Norcap Lodge.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Norcap Lodge of Foxborough on forty years of service to the community;

Mather
School.

Resolutions (filed by Mr. Carvalho of Boston) congratulating the Mather School on the occasion of its three hundred and seventy-fifth anniversary; and

Devereux
Sgammato.

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

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

Communications.

Communications

Autism
Caucus.

From Representative Bradley of Hingham relative to the formation of an Autism Caucus to bring interested legislators together to work on issues related to autism;

Berkshire
Transit
Authority.

From the Berkshire Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, supplementary information, schedule of expenditures of federal awards and OMB a-133 Auditor's Reports and a management letter for the fiscal year 2014;

Brockton
Area
Transit
Authority.

From the Brockton Area Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting financial statements, required supplementary information and supplement schedules with an independent auditors' report thereon for the fiscal year 2014;

Martha's
Vineyard
Transit
Authority.

From the Martha's Vineyard Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting basic financial statements and supplementary data for the fiscal years ended June 30, 2014 and 2013;

From the Merrimack Valley Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2014, including financial statements, auditor's reports, required supplementary information and management's discussion and analysis; Merrimack Valley Transit Authority.

From the Southeastern Regional Transit Authority (under Section 8(g) of Chapter 161B of the General Laws) submitting its annual financial statements for the fiscal year 2014; Southeastern Transit Authority.

From the Director of the Biologic Laboratories (see Section 43(f) of Chapter 75 of the General Laws) submitting a report of the activities of said laboratories for the fiscal year 2014; and Biologic Laboratories.

From the Massachusetts Clean Energy Center (see Section 5 of Chapter 23J of the General Laws) detailing the clean energy sector of the Commonwealth, including an examination of the growth rate of said sector; Clean energy.

Severally were placed on file.

Report.

A report of the Center for Health Information and Analysis (under Section 35 of Chapter 258 of the Acts of 2014) on the rates of denial for substance use disorder treatment coverage by commercial insurers, was placed on file. Addiction treatment,—denials.

Petition.

Representative Naughton of Clinton and Senator Chandler presented a joint petition (accompanied by bill, House, No. 4507) of Harold P. Naughton, Jr., Harriette L. Chandler and Jennifer L. Flanagan (by vote of the town) that the board of selectmen of the town of Clinton be authorized to appoint the town collector for said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Clinton,—town collector.

Papers from the Senate.

The House Bill relative to the board of selectmen-town manager form of government in the town of Great Barrington (House, No. 4192), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 28, striking out the word "may" and inserting in place thereof the word "shall", and in line 83, inserting after the word "hearing" the following: "; provided, however, that if the town manager does not reply to the resolution within 7 days, the selectboard may proceed to final action 30 days after the preliminary resolution". The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Great Barrington,—form of government.

The Senate Bill relative to the Department of Inspectional Services in the city of Lynn (Senate, No. 2276) (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. Lynn,—Inspectional Services.

Reports of Committees.

Supplemental
appropriations.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4301, reported, in part, a Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4504) [Total appropriation: \$77,846,680.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recesses having terminated, under further suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been 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, Messrs. Jones of North Reading and Dooley of Norfolk moved to amend it by adding the following section:

“SECTION 73. Section 2A of chapter 79 of the acts of 2014 is hereby amended by inserting, in item 6121-1317, after the words ‘town of Marion’, the following:— ; provided further, that not less than \$500,000 shall be expended to study the replacement of the Main Street Bridge and the Lawrence Street Bridge in the Town of Norfolk.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill

In section 2, in item 1599-0026, by striking out the figures “\$200,000 and inserting in place thereof the figures “\$600,000”;

By inserting after section 5A (inserted by the committee on Bills in the Third Reading) the following two sections:

“SECTION 5B. Section 22 of chapter 13 of the General Laws, as appearing in section 2 of chapter 159 of the acts of 2014, is hereby amended by striking out, in lines 13, 19, 25, 28, 31 and 35, the words:— at least.

SECTION 5C. Subsection (i) of said section 22 of said chapter 13, as so appearing, is hereby amended by adding the following sentence:— The registered pharmacist as defined in subsection (g) shall not constitute an appointment of an independent pharmacist, chain pharmacist, hospital pharmacist, long-term care pharmacist, or academic pharmacist as defined in subsections (c), (d), (e), (f), and (h) for the purposes of this paragraph.”;

By inserting after section 22 the following section:

“SECTION 22A. Subsection (c) of section 39F of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the word ‘pharmacies’ and inserting in place thereof the following word:— entities.”;

By striking out section 27 and inserting in place thereof the following section:

“SECTION 27. Section 5 of chapter 624 of the acts of 1986, as amended by chapter 165 of the acts of 2014, is hereby amended by striking out the words ‘and use of Turtle Lane, a private way, and the

use of a private driveway shall be restricted to emergency access, except that a temporary easement through Turtle Lane shall be authorized for rehabilitation of Elm Bank.”;

In section 40, in line 537, by inserting after the word “Boylston” the following: “; provided further, that not less than \$400,000 shall be expended for an infrastructure improvement project in the town of Hatfield”;

In section 69 (as published) by adding the following paragraph:

“(70) between the Essex County Sheriffs and the National Corrections Employees Union, Local 121”; and

By adding the following section:

“SECTION 74. Item 7000-9091 of chapter 237 of the act of 2014 is hereby amended by inserting after the word Mendon the following:— provided further that \$250,000 shall be expended for improvements to the roof of the Shelbourne Library.”.

The amendments were adopted.

The bill, as amended, then was passed to be engrossed. The bill (House, No. 4508, published as amended) then was sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Relative to improving notice requirements for self-storage (see Senate, No. 2297, amended) (which originated in the Senate); Bills enacted.

Relative to Cable PEG Access Enterprise Fund (see House, No. 1860); and

Authorizing the town of Whately to continue the employment of Donald Dufault and John DuBois (see House, No. 4222, amended);

(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.

Recesses.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Kaufman of Lexington (Mr. Kafka of Stoughton being in the Chair), the House recessed until twelve o'clock noon; and at twenty-five minutes after twelve o'clock the House was called to order with Mr. Kafka in the Chair. Recesses.

The House thereupon, on further motion of Mr. Kaufman, took a further recess until the hour of one o'clock P.M.; and at a quarter after one o'clock the House was called to order with Mr. Kafka in the Chair.

Orders of the Day.

The Senate Bill authorizing the town of Ipswich to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2279, amended), 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.

The House Bill relative to the Massachusetts life and health insurance guaranty association law (House, No. 922), was read a third time. Third reading bill amended.

Third reading
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4505), which was read. The report was accepted.

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

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

At nine minutes before two o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.