

JOURNAL OF THE HOUSE.

Thursday, December 18, 2014.

Met at six minutes after 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.

Resolutions.

Resolutions (filed with the Clerk by Messrs. Fernandes of Milford and Peterson of Grafton) congratulating the Nipmuc Regional High School girls varsity soccer team on its 2014 season and Division III state championship, were referred, under Rule 85, to the committee on Rules. Nipmuc High School,— soccer team.

Ms. Hogan of Stow, for said committee reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Executive Office of Administration and Finance (see Section 60B(f) of Chapter 29 of the General Laws, as most recently amended by Section 7 of Chapter 118 of the Acts of 2013) submitting the estimate of the total amount of new Commonwealth debt that may be prudently authorized for the next fiscal year, as determined by the Capital Debt Affordability Committee, was placed on file. Debt Affordability Committee estimate.

Special Reports.

Special reports

Of the Department of Public Health (under Section 29 of Chapter 258 of the Acts of 2014) submitting a list of prescription drug drop boxes and other safe locations at which to dispose of prescription drugs within the Commonwealth [copies were forwarded to the committee on Ways and Means and the committee on Mental Health and Substance Abuse, as required by said law]; and Prescription drug drop boxes.

Of the special task force on state verification and eligibility of recipients of public benefits established (under Section 73 of Chapter 36 of the Acts of 2013 and revived and continued by Section 28 of Chapter 359 of the Acts of 2014) to make an investigation and study of the development of a common eligibility standard to be applied to all agencies of the Commonwealth administering public assistance programs, the obstacles, fiscal impact and federal limitations related to such implementation and the ancillary impacts to the Commonwealth or recipients of public benefits; Public benefit eligibility.

Severally were placed on file.

Petitions.

Rehoboth,—
land.

Mr. Howitt of Seekonk presented a petition (accompanied by bill, House, No. 4554) of Steven S. Howitt and James E. Timilty (by vote of the town) that the town of Rehoboth be authorized to lease a certain parcel of land for housing purposes; and the same was referred to the committee on Housing. Sent to the Senate for concurrence.

Marie
Silva,—
sick leave.

Representative Heroux of Attleboro and Senator Ross presented a joint petition (subject to Joint Rule 12) of Paul R. Heroux and Richard J. Ross for legislation to establish a sick leave bank for Marie Silva, an employee of the Department of Developmental Services; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

Marc
Glazebrook,—
sick leave.

A petition (accompanied by bill) of Richard J. Ross and Jeffrey N. Roy for legislation to establish a sick leave bank for Marc Glazebrook, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2418) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Ms. Hogan of Stow, 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:

Phillipston,—
reuse
committee.

Petition (accompanied by bill) of Anne M. Gobi and Stephen M. Brewer for legislation to authorize the town of Phillipston to appoint members to the Templeton Developmental Center Reuse Committee. To the committee on Municipalities and Regional Government.

Lisa
Renaud,—
sick leave.

Petition (accompanied by bill) of Peter J. Durant and Richard T. Moore for legislation to establish a sick leave bank for Lisa Renaud, an employee of the Department of Correction. To the committee on Public Service.

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

Municipalities,—
tree
wardens.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to update the public shade tree law (House, No. 1842), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Early
education.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill strengthening early support and education (House, No. 125), ought to pass with an amendment substituting therefor a bill with the

same title (House, No. 4556). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of the rules, on motion of the same member, 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.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing for a labor/management workplace and education trust fund at the University of Massachusetts Amherst (House, No. 3698), ought to pass with an amendment substituting therefor a Bill relative to trust funds at the University of Massachusetts (House, No. 4557). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

University of
Massachusetts
Amherst,—
trust fund.

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

Under suspension of Rule 7A, on motion of the same member, 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.

Subsequently under suspension of the rules, on motion of Ms. Gifford of Wareham, 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, Mr. Dempsey of Haverhill moved to amend it by striking out sections 1 and 2 and inserting in place thereof the following two sections:

“SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after section 2QQQQ, inserted by section 14 of chapter 359 of the acts of 2014, the following section:—

Section 2RRRR. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Haverhill Satellite Center Trust Fund, hereinafter the fund, to be expended without further appropriation by the University of Massachusetts. There shall be credited to the fund any amounts appropriated or transferred to the fund, all interest earned on monies in the fund, and any monies received from public and private sources including gifts, grants or donations. Monies in the fund shall be held in a manner that will achieve the highest interest rate available consistent with the preservation of the principal of the fund and with the requirement that all amounts on deposit be continuously available for immediate use pursuant to this section. The fund shall be used exclusively for the benefit of the Haverhill Satellite Center. Within 30 days of receiving a request from the Haverhill Satellite Center, the University of Massachusetts shall transfer monies from the fund to the Haverhill Satellite Center; provided, however, that the Haverhill Satellite Center shall use monies received from the fund for the payment of lease or rental expenses for real property occupied by the Haverhill Satellite Center, for the payment of expenses related to the renovation, build out or maintenance of real property occupied by the Haverhill Satellite Center, for the payment of costs related to the acquisition of supplies related

University of
Massachusetts
Amherst,—
trust fund.

to the operation of the Haverhill Satellite Center and for payment of all utility costs, including water. Revenues deposited in the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the following fiscal year.

(b) The University of Massachusetts shall annually file a report with the executive office for administration and finance and the senate and house committees on ways and means detailing the expenditures made pursuant to this section on or before June 30 of each year.

SECTION 2. Line item 1599-7104 of section 2 of chapter 165 of the acts of 2014 is hereby amended by inserting at the end thereof the following words:— ; and provided further that \$7,633,597 shall be transferred to the Haverhill Satellite Center Trust Fund.”; and by striking out sections 5 and 6 and inserting in place thereof the following three sections:

“SECTION 5. Section 2RRRR of chapter 29 of the General Laws is hereby repealed.

SECTION 6. Sections 1 to 4, inclusive, shall take effect upon their passage.

SECTION 7. Section 5 shall take effect on June 30, 2027.”.

The amendments were adopted; and the bill (House, No. 4557, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Pharmacy
audits.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill regulating pharmacy audits (Senate, No. 2286, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4555. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2286, amended) was ordered to a third reading.

Contractor
registration.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to streamlining home improvement contractor registration (House, No. 3871), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4558). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of the same member, 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.

Engrossed Bills.

Engrossed bills

Relative to the Worcester DCU Arena and Convention Center (see Senate, No. 2227);

Bills
enacted.

Further regulating the crime of accosting and annoying (see Senate, No. 2362);

Relative to the position of treasurer-collector in the town of Carver (see Senate, No. 2364);

(Which severally originated in the Senate);

Providing equitable treatment for post-acute care hospitals (see House, No. 1986); and

Establishing a Mystic River watershed water quality commission (see House, No. 4302, 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.

Orders of the Day.

The Senate amendment of the House Bill relative to pesticide licensing and mosquito control (House, No. 3568, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Pesticide
licensing.

The Senate amendment of the House Bill relative to hospital indemnity insurance policies (House, No. 3730, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Hospital
indemnity
insurance
policies.

House bills

Relative to the retirement benefits of the surviving spouse of the Honorable Jonathan Brant (House, No. 4250);

Third
reading
bills.

Relative to boat excise tax revenue for the Mattapoissett Waterfront (House, No. 4535);

Establishing a sick leave bank for Derik DiRico, an employee of the Massachusetts Department of Transportation (House, No. 4540);

Relative to the Board of Health of the city of Chicopee (House, No. 4542); and

Validating the results of a certain election held in the town of Chilmak (printed in House, No. 4543) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to concussion prevention (House, No. 3806), was read a third time.

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. 4563); and the report was accepted.

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



Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at fourteen minutes before two o'clock P.M., the House was called to order with Mr. Donato in the Chair.

State-chartered
banks,—
competitiveness.

The Senate amendment of the House Bill modernizing the banking laws and enhancing the competitiveness of state-chartered banks (House, No. 4110), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Order.

Next
sitting.

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

At ten minutes after two o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.