

JOURNAL OF THE HOUSE.

Monday, October 24, 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.

Appointments of the Speaker and the Minority Leader.

The Speaker announced that he had appointed Ms. Lianna Kushi of Lowell (under Section 68 of Chapter 3 of the General Laws) to the permanent commission on the status of citizens of Asian descent; and Asian American commission.

The Minority Leader announced that he had made the following appointments:

That Representative Dooley of Norfolk had been appointed to serve as his designee to the special task force established (under Section 7 of chapter 187 of the Acts of 2016) to review the current laws, regulations and local ordinances governing licensed hackneys, taxis, livery and transportation network companies in the Commonwealth and to make recommendations concerning public safety, consumer protection and the economic fairness and equity of the regulatory structure governing the ride for hire industry; and Ride for hire industry, etc., task force.

That Representative Kane of Shrewsbury had been appointed as his designee to the special commission on local and regional public health established (under Chapter 3 of the Resolves of 2016) to assess the effectiveness and efficiency of municipal and regional public health systems and to make recommendations regarding how to strengthen the delivery of public health services and preventive measures. Local and regional health care commission.

Resolutions.

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

Resolutions (filed by Representatives Cronin of Easton, DuBois of Brockton and Cassidy of Brockton) congratulating the Annunciation Greek Orthodox Church on its one hundredth anniversary; Annunciation Greek Orthodox Church.

Resolutions (filed by Ms. Cronin of Easton) congratulating Jake Nicholas Ryan on receiving the Eagle Award of the Boy Scouts of America; Jake Ryan.

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

Resolutions (filed by Ms. Hogan of Stow) celebrating the one hundred and fiftieth anniversary of the incorporation of the town of Hudson; and Hudson,— anniversary.

Resolutions (filed by Ms. Story of Amherst) congratulating Marilyn Hecht Blaustein on her retirement; Marilyn Blaustein.

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

Papers from the Senate.

Vocational education transportation.

A Resolve establishing a special commission on vocational education transportation (Senate, No. 2501) (on Senate bill No. 2331), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committee on Rules of the branches, acting concurrently.

Grafton,—land.

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement to the town of Grafton over a certain parcel of land (Senate, No. 2427, amended in section 1 by adding the following sentence: "The land over which the easement may be granted was acquired by the commonwealth by deeds recorded in the Worcester district registry of deeds in book 1728, page 21, book 1730, page 243 and book 1742, page 398.") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Norwood,—bridge.

Designating a certain bridge in the town of Norwood as the Thomas J. Kewriga Memorial Bridge (Senate, No. 1871) (on a petition);

Service technicians,—regulate.

Regulating central service technicians (Senate, No. 2070, amended in section 1, in lines 5 to 9, inclusive, by striking out the text contained in those lines and inserting in place thereof the following:

"'Health care practitioner', a person licensed or registered under section 2, 9, 16, 45, 51, 51½, 74 or 74A of chapter 112 including an intern, resident, fellow or hospital medical officer who conducts or assists with the performance of surgery.

'Health care facility', a hospital or rural hospital as defined in section 52 or surgical services that are provided in a free standing ambulatory surgery center, whether inpatient or outpatient, conducted for charity or for profit and whether or not subject to section 25C; provided, however, that 'health care facility' shall not include the dental or private office of a health care practitioner.", in line 11 by striking out the word "surgical" and inserting in place thereof the words "health care"; in line 20 by striking out the year "2015" and inserting in place thereof the year "2016"; and by striking out section 2 and inserting in place thereof the following section:

"SECTION 2. The commissioner of the department of public health shall provide the guidance necessary to carry out this act. The guidance shall be provided not later than 90 days after the effective date of this act." (on a petition); and

Aaron Paul,—sick leave.

Establishing a sick leave bank for Aaron Paul, an employee of the Department of Correction (Senate, No. 2494, amended in line 4 by inserting after the word "Paul", the first time it appears, the words "to care for his son") (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2500) of Mark C. Montigny, Paul A. Schmid, III, Robert M. Koczera and Antonio F.D. Cabral (with approval of the mayor and city council) for legislation to establish an arts, culture and tourism promotion fund in the city of New Bedford, was referred, in concurrence, to the committee on Municipalities and Regional Government.

New Bedford,—tourism.

Reports of Committees.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4617, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain a House document concerning liquor licenses (House, No. 4707) [Representative McKenna of Webster dissenting].

Consumer Protection and Professional Licensure,—study.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on House, Nos. 32, 34, 35, 37, 38, 39, 40, 41, 42, 1149, 1150, 1151, 1153, 1154, 1156, 1157, 1158, 1159, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1185, 1189, 1190, 1191, 1192, 1195, 1196, 1197, 1199, 1200, 1201, 1203, 1204, 1205, 1206, 1208, 1209, 1210, 1212, 1215, 1218, 1219, 1221, 1224, 1225, 1229, 1230, 1231, 1232, 1233, 1234, 1236, 1237, 1238, 1239, 1240, 1241, 1243, 1244, 1247, 1249, 1251, 1252, 1256, 1257, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1271, 1272, 1277, 1280, 1281, 1282, 1283, 1288, 1292, 1293, 1294, 1298, 1300, 1302, 1303, 1304, 1307, 1308, 1309, 1310, 1312, 1314, 1316, 1317, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1333, 1334, 1338, 1339, 1340, 1341, 1342, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1353, 1356, 1358, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1369, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1401, 1403, 1404, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1418, 1419, 1420, 1421, 1422, 1423, 1425, 1426, 1430, 1434, 1435, 1437, 1438, 1439, 1440, 1441, 1445, 1446, 1450, 1451, 1452, 1455, 1457, 1458, 1459, 1461, 1462, 1464, 1465, 1466, 1467, 1468, 1469, 1471, 1473, 1474, 1476, 1479, 1480, 1481, 1482, 1483, 1484, 1488, 1489, 1490, 1491, 1494, 1495, 1496, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1506, 1508, 1509, 1510, 1512, 1515, 1516, 1517, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1533, 1534, 1535, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1550, 1551, 1552, 1553, 1555, 1558, 1559, 1560, 1561, 1562, 1563, 1565, 1571, 1573, 1576, 1578, 1579, 1580, 1581, 1582, 1583, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1595, 1597, 1598, 1599, 1601, 1602, 1604, 1605, 1606, 1607, 1608, 1610, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1620, 1621, 1624, 1625, 1626, 1627, 1629, 1630, 1632, 1633, 1634, 1635, 1639, 1640, 1643, 1645, 1646, 1647, 1648, 1650, 1651,

Judiciary,—study.

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study.

1652, 1657, 1658, 1660, 1661, 1662, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1764, 3251, 3253, 3255, 3256, 3257, 3258, 3259, 3260, 3433, 3434, 3437, 3439, 3440, 3441, 3442, 3445, 3446, 3447, 3448, 3449, 3450, 3452, 3455, 3456, 3756, 3787, 3788, 3842 and 3979, and on a part of House, No. 31, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning judiciary issues (House, No. 4706).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Karen
Tavernier.

The Senate Bill establishing a sick leave bank for Karen Tavernier, an employee of the Massachusetts Department of Transportation (Senate, No. 2498); and

Mary
Katherine
Sheehan.

The House Bill establishing a sick leave bank for Mary Katherine Sheehan, an employee of the Trial Court (House, No. 4704);

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

Woburn,—
liquor
licenses.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4644, a Bill authorizing the city of Woburn to issue additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4708) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Robert
Clark,—
sick leave.

The engrossed Bill establishing a sick leave bank for Robert Clark, an employee of the Department of Mental Health (see House, No. 4641), 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 7 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
Authorizing the town of Orleans to lease a certain panel of land (see House, No. 3664, amended); Bills enacted.

Establishing a year-round market rate rental housing trust fund in the town of Provincetown (see House, No. 3742, amended);

Authorizing the town of Foxborough to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4550); and

Relative to a municipal employee in the town of Lee, the town of Lenox or the town of Stockbridge acting in relation to an intermunicipal agreement (see House, No. 4598);

(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.

Authorizing the town of Whately to continue the employment of firefighter Peter Hannum (House, No. 4587); and Third reading bills.

Designating a certain bridge in the city of Boston as the Lance Corporal Alexander Arredondo and Brian Arredondo memorial bridge (House, No. 4588);

Severally reported by the committee on Bills in the Third Reading 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 regulating appraisal management companies (House, No. 4399) (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. Appraisal management companies.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it, in section 2, in lines 371 to 384, inclusive, by striking out the three paragraphs contained in those lines (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following three paragraphs:

“Section 279. (a) The board shall have the authority to conduct investigations and examinations for:

(i) purposes of initial registration, registration renewal, registration suspension, registration conditioning, registration revocation or termination, or general or specific inquiry or investigation to determine compliance with sections 266 to 279, inclusive. The board shall have the authority to access, receive and use any books, accounts, records, files, documents, information or evidence including, but not limited to: (i) criminal, civil and administrative history information, including non-conviction data as specified in applicable provisions of the General Laws; and (ii) any other documents, information or evidence the board deems relevant to the inquiry or investigation regardless of the location, possession, control or custody of such documents, information or evidence; and

Appraisal
management
companies.

(ii) the purposes of investigating violations or complaints arising under sections 266 to 279, inclusive, or for the purposes of examination, the board may review, investigate, or examine any registrant, individual or person subject to said sections 266 to 279, inclusive, in order to carry out the purposes set forth therein.”

The amendment was adopted; and the bill (House, No. 4399, amended) 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 Thursday next at eleven o'clock A.M.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.