

# JOURNAL OF THE HOUSE.

---

Monday, May 5, 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).

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. Pledge of allegiance.

### *Resolutions.*

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Kyle Dennis Medeiros on receiving the Eagle Award of the Boy Scouts of America; Kyle Dennis Medeiros.

Resolutions (filed by Mr. Arciero of Westford) congratulating Leslie Doherty on being named the 2014 Westford Kiwanis Person on the Year; Leslie Doherty.

Resolutions (filed by Mr. Calter of Kingston) congratulating Cullen Spencer Wnek on receiving the Eagle Award of the Boy Scouts of America; Cullen Spencer Wnek.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating John Chipman on receiving the Eagle Award from the Boy Scouts of America; John Chipman.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Matthew Chipman on receiving the Eagle Award from the Boy Scouts of America; Matthew Chipman.

Resolutions (filed by Mr. Dooley of Norfolk) congratulating Brian D. O'Sullivan on receiving the Eagle Award from the Boy Scouts of America; Brian D. O'Sullivan.

Resolutions (filed by Mr. Durant of Spencer) congratulating Philip Pettinelli on the occasion of his retirement from the Southbridge Savings Bank; Philip Pettinelli.

Resolutions (filed by Ms. Fox of Boston) honoring Christian and Jeanne DeMarcken, the Chapter 22 Veterans of the Battle of the Bulge and the Langer family; Battle of the Bulge veterans.

Resolutions (filed by Representatives Garlick of Needham and Dooley of Norfolk) congratulating William T. Derian on receiving the Eagle Award of the Boy Scouts of America; William T. Derian.

Resolutions (filed by Mr. Linsky of Natick) congratulating Salvatore Arena on the occasion of his retirement as Captain of the town of Natick Fire Department; Salvatore Arena.

Resolutions (filed by Mr. Linsky of Natick) congratulating Paul Tota on the occasion of his retirement as Deputy Chief of the town of Natick Fire Department; and Paul Tota.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Ronald S. Tiberio on his retirement from Wellesley High School; Ronald S. Tiberio.

Mr. Binienda of Worcester, 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. Wong of Saugus, 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

Groundfish port recovery plan.

From the University of Massachusetts at Dartmouth (see item 2300-0110 contained in Section 2 of Chapter 118 of the Acts of 2013) submitting the groundfish port recovery and revitalization plan for the Port of New Bedford/Fairhaven; and

Id.

From the Harbor Planning Director of the city of Gloucester (see item 2300-0110 contained in Section 2 of Chapter 118 of the Acts of 2013) submitting the groundfish port recovery and revitalization plan for the city of Gloucester;

Severally were placed on file.

*Orders.*

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

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

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Sunday, June 15, 2014, within which to make its final report on current Senate documents numbered 345, 361 and 411 and current House documents numbered 657, 754, 756, 772, 800, 818, 819, 820, 3594 and 3828.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Wong of Saugus, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

Telecommunications, Utilities and Energy committee,— extension of time for reporting.

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Sunday, June 15, 2014, within which to make its final report on current Senate documents numbered 177, 1572, 1585, 1611, 1612, 1873, 1908, 2019, 2020, and 2030 and current House documents 2915, 2928, 2930, 2935, 2947, 2964, 3385, 3901 and 3968. Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Keenan of Salem) 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 Telecommunications, Utilities and Energy be granted until Tuesday, July 15, 2014, within which to make its final report on current Senate documents numbered 379, 1588, 1598, 1605, 1614 and 1616 and current House documents numbered 2923, 2942, 2943, 2973, 2984 and 2992. Telecommunications, Utilities and Energy committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Wong of Saugus, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoisett) 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 Transportation be granted until Thursday, May 15, 2014, within which to make its final report on current Senate documents numbered 1639, 1640, 1643, 1648, 1649, 1653, 1664, 1672, 1712 and 1714 and current House documents numbered 3023, 3024, 3025, 3040, 3044, 3068, 3077, 3099, 3112, 3118, 3136, 3168, 3285, 3369 and 3584. Transportation committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Petition.*

By Representative Linsky of Natick and Senator Spilka, a joint petition (subject to Joint Rule 12) of David Paul Linsky and Karen E. Spilka for legislation to include public works employees for killed-in-the-line-of-duty benefits; and the same was referred, under Rule 24, to the committee on Rules. Public works employees,—benefits.

*Papers from the Senate.*

*Bills*

To ensure access to the Hampden County courts in the city of Springfield (Senate, No. 2122) (on Senate bill No. 2032); Springfield,—court house.

Restoring the minimum wage and providing unemployment insurance reforms (Senate, No. 2123) (on a part of House bill No. 4026); and Unemployment insurance.

Authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham (Senate, No. 2124) (on Senate bill, No. 1927); Petersham,—land.

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 Bill further regulating town meeting notices (Senate, No. 2121) (on Senate bill No. 975), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Town meeting notices.

## Reports

Of the committee on Health Care Financing, asking to be discharged from further consideration

Narcotics.

Of the Bill relative to updating the drug class A schedule (Senate, No. 914);

Methamphetamine.

Of the Bill relative to the definition of methylenedioxy methamphetamine (Senate, No. 915);

Salvinorin.

Of the Bill relative to the drug Salvinorin (Senate, No. 916); and

Cocaine.

Of the Bill relative to updating the definition of cocaine (Senate, No. 1934);

And recommending the same severally be referred to the committee on the Judiciary. Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

*Reports of Committees.*

Milton,—  
taxes.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Milton to assess an additional amount of real estate and personal property taxes (Senate, No. 1872) [Local Approval Received], be scheduled for consideration by the House.

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

Boston  
Convention and  
Exhibition  
Center.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill relative to the expansion of the Boston Convention and Exhibition Center (House, No. 3952), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4059) [Bond Issue: Special Obligation Bonds: \$1,110,000,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Motor  
vehicle use,—  
inhalants.

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3020) of Garrett J. Bradley relative to operating a motor vehicle under the influence of inhalants,— and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Non-profit,—  
alcohol  
purchases.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, No. 3388, a Bill to allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 4060).

Anne Marie  
McDonough,—  
sick leave.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the department of the Trial Court (House, No. 4056).

Plymouth,—  
land.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a

parcel of land in the town of Plymouth (House, No. 3960) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Holliston to establish a department of public works (House, No. 3961) [Local Approval Received].

Holliston,—  
public works.

By the same member, for the same committee, on a petition, a Bill relative to unpaid sewer use charges in the city of Holyoke (House, No. 3962) [Local Approval Received].

Holyoke,—  
sewer  
charges.

By the same member, for the same committee, on a petition, a Bill establishing an appointed town treasurer-collector position in the town of Somerset (House, No. 4027) [Local Approval Received].

Somerset,—  
treasurer-  
collector.

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

*Emergency Measure.*

The engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth for the improvement, expansion and development of military installations (see House bill printed in House, No. 3982), 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.

Military  
installations,—  
bonds.

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 3 to 0. Sent to the Senate for concurrence.

*Orders of the Day.*

The Senate further amendments to the House amendment of the Senate Bill to prevent shackling and promote safe pregnancies for female inmates (Senate, No. 2063, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Female  
inmates,—  
shackling.

The Senate amendments of the House Bill relative to strengthening campaign finance reporting requirements (House, No. 3760, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Campaign  
finance.

The Senate amendments of the House Bill establishing a sick leave bank for Christine Green, an employee of the Worcester Recovery Center and Hospital (House, No. 3957), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Christine  
Green,—  
sick leave.

The Senate Bill establishing a sick leave bank for Michael J. Donoghue, an employee of the Norfolk Sheriff's Office (Senate, No. 2067), 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.

## House bills

Third  
reading  
bills.

Authorizing the town of Conway to continue the employment of Robert Baker and Ronald Hawkes (House, No. 3876);

Relative to proof of identity for certain licensure (House, No. 3946) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the city of Peabody to grant all alcoholic beverages or wines and malt beverages licenses (House, No. 4053) (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.

Danvers,—  
liquor  
licenses.

The House authorizing the town of Danvers to grant additional licenses for the sale of alcoholic beverages (House, No. 4052) (its title having been changed by the committee on Bill in the Third Reading), reported by said committee 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 in section one, in line 3, by inserting after the word "beverages" the words "or wines and malt beverages".

The amendment was adopted; and the bill (House, No. 4052, 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 nineteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

# JOURNAL OF THE HOUSE.

---

Thursday, May 8, 2014.

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.

### *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, 3rd grade students from Saint Francis School of Weymouth. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Murphy of Weymouth. Saint Francis School of Weymouth.

### *Resolutions.*

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

Resolutions (filed by Mr. Hill of Ipswich) honoring the Congregational Church of Topsfield on the installation of their forty-first minister; Topsfield,—minister.

Resolutions (filed by Mr. Calter of Kingston) congratulating Dominic J. Fiore on receiving the Eagle Award of the Boy Scouts of America; Dominic J. Fiore.

Resolutions (filed by Mr. Calter of Kingston) congratulating Steven Scott Ludwig on receiving the Eagle Award of the Boy Scouts of America; Steven Scott Ludwig.

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

Resolutions (filed by Mr. Parisella of Beverly) congratulating the Beverly High School hockey team on the occasion of its Division 2 championship; Beverly,—hockey team.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Elijah Eldredge on receiving the Eagle Award of the Boy Scouts of America; and Elijah Eldredge.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Albert S. Robinson on his retirement as the Wellesley Town Counsel; Albert S. Robinson.

Mr. Binienda of Worcester, 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. Murphy of Weymouth, 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:

Health Care Financing,—extension of time for reporting.

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 287, 288, 291, 303, 503, 504, 511, 530, 540, 542, 550, 554, 556, 557, 1049, 1062, 1100, 1817, 1931, 1932, 1933, 2074, 2075, and 2076, and House documents numbered 76, 77, 120, 555, 846, 884, 1008, 1015, 1021, 1023, 1024, 1039, 1041, 1042, 1752, 1788, 1799, 1813, 1817, 1889, 1914, 1918, 1939, 1944, 1949, 1966, 1981, 1986, 2021, 2027, 2068, 2073, 2083, 2085, 2174, 3595, 3634, 3715, 3726, 3741, 3761, 3804, 3972, 3973, 3975, 3977, and 4024.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion Ms. Benson, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

#### *Petitions.*

Hinsdale,—recall elections.

Representative Mark of Peru and Senator Downing presented a joint petition (accompanied by bill, House, No. 4064) of Paul W. Mark and Benjamin B. Downing (by vote of the town) for legislation to provide for recall elections in the town Hinsdale; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Propane gas,—sale and use.

By Mr. Cantwell of Marshfield, a petition (subject to Joint Rule 12) of James M. Cantwell for legislation regulate fees relating to the sale and usage of propane gas.

Cast iron pipelines.

By Mr. Fallon of Malden, a petition (subject to Joint Rule 12) of Christopher G. Fallon relative to cast iron pipelines.

Rare disease council.

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux and Jay Livingstone for legislation to create a rare disease advisory council.

Tewksbury,—land.

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli for legislation to authorize the Division of Capital Asset Management and Maintenance to lease a certain parcel of land to Strongwater Farm Therapeutic Equestrian Center, Inc.

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

#### *Papers from the Senate.*

Municipalities and Regional Government committee,—extension of time for reporting.

The Senate Order relative to granting the committee on Municipalities and Regional Government until Monday, March 31, 2014 within which to make its final report on Senate documents numbered 970, relative to local road safety (Senate, No. 2060) (having been approved by the committees on Rules of the two branches, acting concurrently), was considered forthwith, under suspension of the rules, on motion of Ms. Peake of Provincetown.

Pending the question on adoption of the order, the same member moved to amend it in line 2 by striking out the following: “Monday, March 31” and inserting in place thereof the following “Wednesday, May 21”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence in the amendment.

The Senate Order relative to granting the committee on Veterans and Federal Affairs until May 1, 2014 within which to make its final report on Senate documents numbered 1692 and 1749, relative to veterans affairs (Senate, No. 2057) (having been approved by the committees on Rules of the two branches, acting concurrently), was considered forthwith, under suspension of the rules, on motion of Mr. Basile of Boston.

Veterans and Federal Affairs committee,—extension of time for reporting.

Pending the question on adoption of the order, the same member moved to amend it in line 2 by striking out the following: “Wednesday, May 1” and inserting in place thereof the following “Friday, May 16”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence in the amendment.

### *Reports of Committees.*

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of David Paul Linsky and Karen E. Spilka for legislation to include public works employees for killed-in-the-line-duty 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.

Public works employees,—death benefits.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the department of the Trial Court (House, No. 4056), be scheduled for consideration by the House.

Anne Marie McDonough,—sick leave.

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.

Subsequently under suspension of the rules, on motion of Mr. Collins of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and passed to be engrossed, its title having been changed by said committee to read: “An Act establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court.”.

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

Senate bills

Relative to local commissions on disabilities (Senate, No. 1985); and

Disabilities.

Authorizing the Wilkinsonville water district to convey a certain parcel of land (Senate, No. 1995, amended); and

Wilkinsonville water district.

House bills

Relative to the definition of a kennel (House, No. 272);

Kennels.

Relative to certain banking laws (House, No. 873);

Banking laws.

Relative to fire insurance (House, No. 958, changed);

Fire insurance.

Relative to firefighters [sic] cessation program (House, No. 2419);

Firefighters.

and

Somerset,—  
treasurer-  
collector.

Establishing an appointed town treasurer-collector in the town of Somerset (House, No. 4027) [Local Approval Received];

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.

State  
facilities,—  
resident  
safety.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to ensuring the safety of residents of facilities under the authority of the Department of Mental Health and the Department of Developmental Services (House, No. 141).

Seniors, etc.,—  
technology.

By the same member, for the same committee, on a petition, a Bill relative to living at home with use of technology for people with disabilities and seniors (House, No. 150).

Disabled,—  
assistance.

By the same member, for the same committee, on House, No. 151, a Bill relative to real lives (House, No. 4063).

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

Individuals  
with  
disabilities,—  
protections.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill affirming inclusion of individuals with disabilities within civil rights protections and nondiscrimination provisions in the Commonwealth of Massachusetts (House, No. 144).

Gateway  
cities,—  
building  
codes.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Resolve establishing a special commission to investigate and study relative to the application of building codes when existing structures in gateway cities are converted to a mixed-use development (House, No. 2200).

Natural  
disasters,—  
preparedness.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters (House, No. 3431).

Public  
spaces,—  
art.

By Ms. Atkins of Concord, for the committee on Tourism, Arts and Cultural Development, on a petition, a Resolve establishing a commission to study art in public spaces (House, No. 3000).

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

Placements,—  
change  
notices.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide notice to counsel of changes in a child's or a young adult's placement and other events (House, No. 117).

Children,—  
sibling visits.

By the same member, for the same committee, on a petition, a Bill regarding sibling visits in child welfare cases (House, No. 118).

Disabled,—  
protection.

By the same member, for the same committee, on a petition, a Bill clarifying the investigative powers of the Disabled Persons Protection Commission (House, No. 139).

Commercial  
fishing,—  
strategic plan.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill to strategically plan for the commercial fishing industry (House, No. 315) [Senator Ross dissenting].

Transit,—  
job access.

By the same member, for the same committee, on a joint petition, a Bill relative to transit (House, No. 321) [Senator Ross dissenting].

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the Department of Fire Services Commission (House, No. 2119).	Fire Services Department.
By the same member, for the same committee, on a petition, a Bill relative to fire safety (House, No. 2130).	Fire sprinkler inspections.
By the same member, for the same committee, on a petition, a Bill relative to penalties for false distress calls (House, No. 2147).	False distress calls.
By the same member, for the same committee, on a petition, a Bill relative to vertical reciprocating conveyors (House, No. 2173).	Elevator mechanics.
By the same member, for the same committee, on a petition, a Bill relative to the possession of dangerous open flame devices (House, No. 2175).	Open flame devices.
By the same member, for the same committee, on a petition, a Bill relative to standards and qualifications for the position of fire chief or chief engineer in cities, towns, fire districts, or authorities (House, No. 2197).	Fire chiefs, etc.,— qualifications.
By the same member, for the same committee, on a petition, a Bill relative to amusement devices (House, No. 2203).	Amusement devices.
By the same member, for the same committee, on a petition, a Bill relative to the members of the Massachusetts National Guard (House, No. 3198).	National Guard.
By the same member, for the same committee, on a petition, a Bill relative to the inspection of the maritime safety and environmental protection of the Long Island Bridge (House, No. 3361).	Long Island Bridge.
By the same member, for the same committee, on House, Nos. 2143 and 3277, a Bill regulating secondary metals dealing (House, No. 4062).	Secondary metals.
By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to promote safety in the transportation of students (House, No. 3027).	Students,— safety.
By the same member, for the same committee, on a joint petition, a Bill to insure benefits through enhanced Selective Service registration (House, No. 3041).	Selective service.
By the same member, for the same committee, on a petition, a Bill relative to public-use airport pavement improvement (House, No. 3073).	Airports,— pavement.
By the same member, for the same committee, on a petition, a Bill relative to drivers education in public high schools (House, No. 3098).	Driver's education.
By the same member, for the same committee, on a petition, a Bill concening [sic] tunnel safety (House, No. 3107).	Tunnel safety.
By the same member, for the same committee, on a petition, a Bill addressing the issue of noise pollution along Route 290 in the town of Northborough (House, No. 3111).	Northborough,— Route 290.
By the same member, for the same committee, on House, Nos. 3110 and 3113, a Bill relative to Massachusetts drivers license information (House, No. 3113).	Driver's licenses.
By the same member, for the same committee, on a joint petition, a Bill to establish regional transit authority enterprise fund (House, No. 3119).	Regional transit funds.
By the same member, for the same committee, on a petition, a Bill to clarify farm plates (House, No. 3144).	Farm plates.
By the same member, for the same committee, on a petition, a Bill relative to truck inspections (House, No. 3166).	Trucks,— inspections.

Taxicabs,—  
access.

By the same member, for the same committee, on a petition, a Bill relative to providing improved access to taxicabs for persons with disabilities (House, No. 3368).

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

Disabled,—  
endangerment.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to reckless endangerment of persons with disabilities (House, No. 122).

Babies,—  
safe havens.

By the same member, for the same committee, on a petition, a Bill relative to the safe placement of newborn infants (House, No. 138).

Elevator  
inspections.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to elevator inspections (House, No. 2115).

Autopsy  
reports.

By the same member, for the same committee, on a petition, a Bill relative to the disclosure of autopsy reports (House, No. 2140).

Horse riders,—  
helmets.

By the same member, for the same committee, on a petition, a Bill requiring the use of helmets for equine riders and drivers (House, No. 2158).

Mandatory  
sentences.

By the same member, for the same committee, on a petition, a Bill relative to mandatory sentences for those committing an assault on a law enforcement officer (House, No. 3239).

Hidden  
compartments.

By the same member, for the same committee, on a petition, a Bill relative to hidden compartments (House, No. 3240).

Dangerous  
weapons.

By the same member, for the same committee, on a petition, a Bill relative to dangerous weapons (House, No. 3258).

Utility  
vehicles.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to expand the move over law for utility vehicles (House, No. 3036).

Motorcycles,—  
inspections.

By the same member, for the same committee, on a petition, a Bill relative to motorcycle inspections (House, No. 3055).

Westfield,—  
bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the city of Westfield as the All Westfield Patriots Bridge (House, No. 3084).

Headlights,—  
use.

By the same member, for the same committee, on House, Nos. 3088, 3092 and 3161, a Bill relative to the use of headlights (House, No. 3092).

Turnpike,—  
signs.

By the same member, for the same committee, on a petition, a Bill relative to signs on the Massachusetts Turnpike (House, No. 3094).

Trucks, etc.—  
weight.

By the same member, for the same committee, on a petition, a Bill to exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 3150).

Agricultural  
operations.

By the same member, for the same committee, on House, No. 3090, a Bill to enhance agricultural operations (House, No. 4061).

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

#### *Emergency Measures.*

Female  
inmates,—  
shackling.

The engrossed Bill to prevent shackling and promote safe pregnancies for female inmates (see Senate, No. 2063), 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 3 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Michael J. Donoghue, an employee of the Norfolk County Sheriff's Office (see Senate, No. 2067), 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.

Michael J. Donoghue,—  
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 3 to 0. Sent to the Senate for concurrence.

The engrossed Bill relative to strengthening campaign finance reporting requirements (see House, No. 3760, 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.

Campaign  
finance  
reporting.

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.

The engrossed Bill establishing a sick leave bank for Christine Green, an employee of the Department of Mental Health (see House, No. 3957, 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.

Christine  
Green,—  
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.

#### *Engrossed Bills.*

##### Engrossed bills

Authorizing the town of Marion to impose liens upon property for the collection of water bills (see House, No. 3605, amended);

Bills  
enacted.

Authorizing the town of Stoneham to create a special fund for railroad right of way proceeds (see House, No. 3743); and

Authorizing the town of Stoneham to establish a special fund for the collection and disposal of trash (see House, No. 3744);

(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 amendments of the House Bill authorizing the town of Dedham to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3614), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Dedham,—  
liquor  
licenses.

Third  
reading  
bill.

The Senate Bill authorizing the town of Oakham to continue the employment of fire chief Thomas Snay (Senate, No. 1999), 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.

Id.

The House Bill relative to advisory questions on ballots in the city of Newton (House, No. 3457) (its title having been changed by the committee on Bill in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it 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 Monday next at eleven o'clock A.M.

---

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

# JOURNAL OF THE HOUSE.

---

Monday, May 12, 2014.

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.

### *Resolutions.*

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

Resolutions (filed by Messrs. DeLeo of Winthrop and Donato of Medford) congratulating and commending Clerk/Magistrate Paul Hartnett upon the fiftieth anniversary of his service with the Trial Court; Paul Hartnett.

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

Resolutions (filed by Ms. Fox of Boston) recognizing George Neves Leighton on his outstanding accomplishments in his life; George Neves Leighton.

Resolutions (filed by Mr. Linsky of Natick) congratulating Steven J. Pagliarulo on the occasion of his retirement as Lieutenant of the town of Natick Police Department; Steven J. Pagliarulo.

Resolutions (filed by Mr. Linsky of Natick) congratulating Paul W. Thompson on the occasion of his retirement as Lieutenant of the town of Natick Police Department; and Paul W. Thompson.

Resolutions (filed by Mr. Pignatelli of Lenox) recognizing Sandra Newman, the founder of Community Access to the Arts; Sandra Newman.

Mr. Binienda of Worcester, 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 Mr. Costello of Newburyport) 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 Financial Services be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 422, 448, 483, 1912 and current House documents numbered 836, 845, 876, 973, 981, 986 and 989. Financial Services,— extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Provost of Somerville, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

Revenue  
committee,—  
extension of  
time for  
reporting.

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 1324, 1327, 1334, 1354 and 1372 and current House documents 2568, 2689, 2695, 2752 and 3840.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Provost of Somerville, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

#### *Petitions.*

Personal  
service  
contracts.

By Mr. Arciero of Westford, a petition (subject to Joint Rule 12) of James Arciero and Eileen M. Donoghue relative to personal service contracts; and the same was referred, under Rule 24, to the committee on Rules.

#### *Papers from the Senate.*

Domestic  
workers,—  
rights.

A Bill establishing the domestic workers bill of rights (Senate, No. 2132) (on the residue of House bill No. 4026), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

#### Bills

Perron,  
Sullivan and  
Dona  
memorials.

Relative to certain designations in the towns of Northbridge, Uxbridge, and Dudley (Senate, No. 1759, amended by adding the following two sections:

“SECTION 2. The intersection of state highway route 122 and Hartford avenue in the town of Uxbridge shall be designated as the Private Edward Sullivan Memorial Square, in honor of Private Edward Sullivan, United States Marine Corps, Recipient of the Congressional Medal of Honor, 1898. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.

SECTION 3. Bridge # D12026-1XX on state highway route 131 over the Quinebaug river in the town of Dudley shall be designated as the Private First Class Ranger Christopher P. Dona Memorial Bridge in honor of Private Christopher Dona, United States Army, who was killed in a tragic parachuting accident June 13, 2013 at Fort Stewart-Hunter Airfield Base. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.”; and by striking out the title and inserting in place thereof a new title) (on a petition); and

Woburn,—  
Officer Robert  
DeNapoli.

Relative to the disability retirement of Woburn police officer Robert DeNapoli (Senate, No. 2134) (on Senate bill No. 2042) [Local Approval Received];

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. 2131) of Stanley C. Rosenberg and Stephen Kulik (by vote of the town) for legislation to authorize the town of Sunderland to continue the employment of James P. Bielunis as a call firefighter, was referred, in concurrence, to the committee on Public Service.

Sunderland,—  
James P.  
Bielmus.

A petition of Linda Dorcena Forry for legislation to authorize the Massachusetts Water Resources Authority to dispose of certain real property in the city of Boston and to release an easement upon certain real property in the city of Boston, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Boston,—  
Water  
Resources  
Authority  
property.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2139) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

*Reports of Committees.*

Mr. Murphy of Weymouth, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1981; and inserting before the enacting clause an emergency preamble) of the House Bill relative to election laws (House, No. 3788), reported recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4072; and that the Senate concur in the further amendment.

Election  
laws.

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

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House; and under said rule, it was placed in the Orders of the Day for the next sitting, the question being, on acceptance.

By Mr. Binienda of Worcester, 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 Paul R. Heroux relative to the prevention of financial exploitation of the elderly. 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 the Judiciary. Sent to the Senate for concurrence.

Elderly  
persons,—  
financial  
exploitation.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to the labeling of seed (House, No. 3996),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Seed,—  
labeling.

Fernald School,—  
former  
residents.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for an investigation and study by a special commission relative to the misclassification and misdiagnosis of former residents of the Fernald state school (House, No. 157, changed in line 12 by striking out the following: “Jan 1, 2011” and inserting in place thereof the following: “January 1, 2015”). Read; and referred, under Joint Rule 29, to the committees on Rules of two branches, acting concurrently.

Child abuse,—  
reporting.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the reporting of child abuse to local law enforcement officials (printed as Senate, No. 40).

Home care,—  
tax exemptions.

By the same member, for the same committee, on a petition, a Bill to provide an income tax exemption for families caring for their elderly relatives at home (House, No. 80).

Drug  
rehabilitation.

By the same member, for the same committee, on a petition, a Bill to study the need for drug rehabilitation for Department of Children and Families’ clients (House, No. 84).

Adult services,—  
transition.

By the same member, for the same committee, on a petition, a Bill to support the transition to adult services for persons with disabilities (House, No. 87).

Private service  
agencies.

By the same member, for the same committee, on a petition, a Bill relative to ensuring safe staffing levels at private sector human service agencies (House, No. 108).

State facility  
residents,—  
safety.

By the same member, for the same committee, on a petition, a Bill relative to ensuring the safety of residents of facilities under the authority of the Department of Mental Health and the Department of Developmental Services (House, No. 110).

Disabled,—  
protection.

By the same member, for the same committee, on House, Nos. 103 and 105, a Bill relative to the authority of the disabled persons protection commission pursuant to Chapter 19C (House, No. 4066).

Human  
services.

By the same member, for the same committee, on House, Nos. 156 and 2839, a Bill to reinvest savings for the financial health of the human service system (House, No. 4068).

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

Special  
education,—  
funding.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to special education funding (House, No. 96).

Families,—  
self-  
sufficiency.

By the same member, for the same committee, on Senate, No. 35 and House, No. 114, a Bill regarding pathways to family economic self-sufficiency (House, No. 114).

Developmental  
disabilities,—  
unmet needs.

By the same member, for the same committee, on a petition, a Bill creating a means for tracking the unmet need of individuals with developmental disabilities in the Commonwealth of Massachusetts (House, No. 149, changed in line 6 by striking out the words “Mental Retardation” and inserting in place thereof the words “Developmental Services”).

Domestic  
violence.

By the same member, for the same committee, on a petition, a Bill relative to the department of children and families (House, No. 159).

By the same member, for the same committee, on House, No. 137, a Bill for passage to independence (House, No. 4067). Disabled,— independence.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill relative to charitable gaming (printed as Senate, No. 1942) [Senator Ross dissenting]. Charitable gaming.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on a petition, a Bill relative to breaking generational cycles of poverty (House, No. 3956). Poverty.

By Ms. Peake of Provincetown, for the committee Municipalities and Regional Government, on House, No. 1859, a Bill promoting the planning and development of sustainable communities (House, No. 4065) [Representatives Durant of Spencer and Kuros of Uxbridge dissenting]. Sustainable communities.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the Department of Capital Asset Management and Maintenance to lease certain land in the town of Hull to The Friends of the Paragon Carousel, Inc. (House, No. 3320). Hull,— land.

By the same member, for the same committee, on a petition, a Bill allowing for the appointment of designees to the Inspector General Council (House, No. 3937). Inspector General Council.

By the same member, for the same committee, on a petition, a Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4033). Holyoke,— land.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 19 and a part of House, No. 17, a Bill relative to motor vehicles and aircraft (House, No. 19). Motor vehicles and aircraft.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to the Pathfinder Regional Vocational-Technical High School (House, No. 3941). Pathfinder Regional School.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the naming of the Stephen M. Brewer fishing area (House, No. 4032). Stephen Brewer fishing area.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop (House, No. 3936) [Local Approval Received]. Revere and Winthrop,— dispatch center.

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

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

Senate bills

Amending the charter of the city known as the town of Greenfield (Senate, No. 2103); and Greenfield,— charter.

Further regulating town meeting notices (Senate, No. 2121); Town meetings.

## House bills

- Consumer protection. Relative to protecting consumers of the Commonwealth (House, No. 263, changed);
- Telemarketing. Relative to telemarketing solicitation (House, No. 285);
- Insurance. Relative to Massachusetts Life and Health Insurance Guaranty Association law (House, No. 922);
- Plymouth,—land. Authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a parcel of land in the town of Plymouth (House, No. 3960) [Local Approval Received];
- Holliston,—public works. Authorizing the town of Holliston to establish a department of public works (House, No. 3961) [Local Approval Received];
- Holyoke,—sewer charges. Relative to unpaid sewer use charges in the city of Holyoke (House, No. 3962) [Local Approval Received]; and
- Non-profits,—liquor. To allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 4060);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

*Engrossed Bills.*

## Engrossed bills

- Bills enacted. To prevent shackling and promote safe pregnancies for female inmates (see Senate, No. 2063);
- Establishing a sick leave bank for Michael J. Donoghue, an employee of the Norfolk County Sheriff's Office (see Senate, No. 2067);
- (Which severally originated in Senate);
- Relative to strengthening campaign finance reporting requirements (see House, No. 3760, amended);
- Establishing a sick leave bank for Christine Green, an employee of the Department of Mental Health (see House, No. 3957, amended); and
- Providing for the terms of certain bonds to be issued by the Commonwealth for the improvement, expansion and development of military installations (see House bill printed in House, No. 3982);
- (Which severally originated in the House);
- In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

## Engrossed bills

- Id. Authorizing the town of Oakham to continue the employment of Fire Chief Thomas Snay (see Senate, No. 1999) (which originated in the Senate);
- Designating a certain pedestrian bridge in the city of Boston as the Frances "Fanny" Appleton Bridge (see House, No. 2904); and
- Authorizing the town of Dedham to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3614, 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 it were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

The Senate Bill to provide for sewer commissioners in the town of Wareham (Senate, No. 1856), 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.

*Recess.*

At thirteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at three minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

*Reports of Committees.*

Mr. Binienda of Worcester, 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 making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4069) (for order, see House, No. 4070), ought to be adopted. The order was considered forthwith; and it was adopted.

Supplemental appropriations,—procedures.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4049, 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. 4069) [Total appropriation: \$144,679,336.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Wednesday next at twelve o'clock noon.

Next sitting.

---

At ten minutes after twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o'clock noon.

# JOURNAL OF THE HOUSE.

---

Wednesday, May 14, 2014.

Met at twelve minutes after twelve o'clock noon, 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.

### *Special Communications.*

The Speaker being in the Chair,—

The following communication, together with returns of votes and schedules therein referred to, were received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE SECRETARY  
STATE HOUSE, BOSTON 02133

May 14, 2014.

*To the Honorable House of Representatives:*

Returns of  
votes for  
Representative  
in the  
Fifth Suffolk  
District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the twenty-ninth day of April, 2014, for Representative in the General Court, 5th Suffolk District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,  
*Secretary of the Commonwealth.*

The communication was read; and, there being no objection, it was placed on file.

### *Order.*

On motion of Mrs. Haddad of Somerset,—

Governor  
notified.

*Ordered,* That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representative-elect Evandro C. Carvalho of the 5th Suffolk District is assembled in the Chamber of the House of Representative and is ready to take the oath and affirmation of qualification.

The Speaker then appointed Representatives Donato of Medford, Wong of Saugus, Story of Amherst, Poirier of North Attleborough, Vincent of Revere, Hunt of Boston, Moran of Boston, Sánchez of Boston, Beaton of Shrewsbury, Sannicandro of Ashland and Markey of Dartmouth as the special committee of the House.

Subsequently Mr. Donato of Medford, for the committee, reported that they had attended to the duties assigned to them, and that the Governor had stated that he would attend forthwith and administer the oaths of office.

*Distinguished Guests.*

The Speaker then announced that in attendance during the session were several distinguished guests, including Suffolk County District Attorney Daniel F. Conley, Senator Linda Dorcena Forry and former Representative Marie P. St. Fleur.

Distinguished guests.

*Member Qualified.*

Soon afterward His Excellency the Governor, Deval L. Patrick, accompanied by Auditor Suzanne M. Bump and members of the Honorable Council came in; the oaths and affirmation required by the Constitution and laws was administered by the Governor to Mr. Carvalho, and were subscribed by him; after which His Excellency declared that Mr. Carvahlo was duly qualified to enter upon the discharge of his duties.

Representative Evandro C. Carvalho,— qualification.

His Excellency the Governor, the Auditor and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

Mr. Carvahlo then addressed the House briefly; and was assigned to Seat No. 104 by the Speaker.

*Appointment to a House Standing Committee.*

The Speaker announced that, under the provisions of Rule 18A, he had appointed Representative Carvalho of Boston to the ninth position on the committee on Global Warming and Climate Change, to fill the existing vacancy.

Global Warming and Climate Change.

*Appointment to a Joint Standing Committee.*

The Speaker announced that, under the provisions of Rule 18A, he had appointed Representative Carvalho of Boston to the ninth position on the committee on the Judiciary, to fill the existing vacancy.

The Judiciary committee.

*Statement Concerning Representative Koczera of New Bedford.*

A statement of Mrs. Haddad of Somerset concerning Mr. Koczera of New Bedford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Koczera of New Bedford, is unable to be present in the House Chamber for today's sitting due to family business outside of the Commonwealth. His missing of roll calls today is due entirely to the reason stated. Bedford.

Statement concerning Mr. Koczera of New Bedford.

*Guests of the House.*

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced United States Marine Corps Captain Alex Mora from Lynn, who served with honor in Afghanistan as a combat engineer.

United States Marine Corps Captain Alex Mora.

United States  
Marine Corps  
Captain Alex  
Mora.

Captain Mora was accompanied by his sisters Enely and Jay, both of whom served as United States Marines. They were the guests of Representatives Fennell of Lynn, Ehrlich of Marblehead, Vincent of Revere and Wong of Saugus.

*Resolutions.*

Mr. Donato of Medford being in the Chair,—

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

Dmitri D.  
Rusinak.

Resolutions (filed by Mr. Calter of Kingston) congratulating Dmitri D. Rusinak on receiving the Eagle Award of the Boy Scouts of America;

George E.  
Williams III.

Resolutions (filed by Mr. Calter of Kingston) congratulating George E. Williams III on receiving the Eagle Award of the Boy Scouts of America; and

Nicholas J.  
Williams.

Resolutions (filed by Mr. Calter of Kingston) congratulating Nicholas J. Williams on receiving the Eagle Award of the Boy Scouts of America;

Mr. Binienda of Worcester, 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. Rushing of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Order.*

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

Education  
committee,—  
extension  
of time for  
reporting.

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, June 27, 2014, within which to make its final report on current Senate documents numbered 216, 217, 220, 222, 224, 233, 243, 252, 259, 263, 269, 273, and 1957 and House documents numbered 331, 332, 334, 336, 354, 355, 359, 360, 361, 379, 384, 386, 390, 424, 445, 448, 463, 474, 480, 492, 493, 499, 502, 511, 516, 3287, 3291, 3306, 3421 and 3941.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Petitions.*

Somerville,—  
tax  
exemption.

Representative Provost of Somerville and Senator Jehlen presented a joint petition (accompanied by bill, House, No. 4078) of Denise Provost, Patricia D. Jehlen and others (with the approval of the mayor and city council) that the city of Somerville be authorized to increase the residential real property exemption; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Maria  
Blanciforte,—  
sick leave.

By Mr. Basile of Boston, a petition (subject to Joint Rule 12) of Carlo Basile for legislation to establish a sick leave bank for Maria Blanciforte, an employee of the Department of Developmental Services.

By Ms. Harrington of Groton, a petition (subject to Joint Rule 12) of Sheila C. Harrington for legislation to establish a sick leave bank for Richard Brophrey, an employee of the Department of Unemployment Assistance.

Richard Brophrey,—  
sick leave.

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

*Papers from the Senate.*

Bills

Designating a certain bridge in the city of Easthampton as the Korean War veterans memorial bridge (Senate, No. 1675) (on a petition);

Easthampton,—  
bridge.

Establishing Ataxia awareness day (Senate, No. 2007) (on a petition); and

Ataxia day.

Authorizing the town of Chesterfield to continue the employment of police chief Gary Wickland (Senate, No. 2051) (on a petition) [Local Approval Received];

Chesterfield,—  
Gary Wickland.

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.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2136) of Therese Murray, Viriato Manuel deMacedo and Randy Hunt (by vote of the town) for legislation to authorize the town of Plymouth to establish an 1820 courthouse fund. To the committee on Municipalities and Regional Government.

Plymouth,—  
courthouse fund.

Petition (accompanied by bill, Senate, No. 2137) of James B. Eldridge and Jennifer E. Benson (by vote of the town) for legislation to manage the other post-employment benefits liability of the town of Harvard. To the committee on Public Service.

Harvard,—  
post-employment benefits.

Petition (accompanied by bill, Senate, No. 2138) of James B. Eldridge and Jennifer E. Benson (by vote of the town) for legislation relative to community shared solar energy systems in the town of Harvard. To the committee on Revenue.

Harvard,—  
solar energy.

*Reports of Committees.*

By Mr. Binienda of Worcester, 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:

Petition (accompanied by bill) of Garrett J. Bradley relative to parole hearings for persons convicted of second degree murder. To the committee on the Judiciary.

Parole hearings.

Petition (accompanied by bill) of James R. Miceli for legislation to authorize the Division of Capital Asset Management and Maintenance to lease a certain parcel of land to Strongwater Farm Therapeutic Equestrian Center, Inc. To the committee on State Administration and Regulatory Oversight.

Tewksbury,—  
land.

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

Workforce  
reform.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill restoring the minimum wage and providing unemployment insurance reforms (Senate, No. 2123), ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4079 [being a duplicate of the text contained in House, No. 4026]; and striking out the title and inserting in place thereof the following title: "An Act relative to workforce reform." [being the title of House, No. 4026] [Representative Diehl of Whitman dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted; and the bill (Senate, No. 2123, amended) was ordered to a third reading.

Under suspension of the rules, on further motion of the same member, the bill was read a third time forthwith; and it was passed to be engrossed. Mr. Mariano of Quincy then asked that this vote be reconsidered and the motion was considered forthwith; and it was negatived.

The bill (Senate, No. 2123, amended) then was sent to the Senate for concurrence in the amendments.

Early  
education.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill strengthening early support and education (House, No. 125),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

Birth defects  
prevention.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill relative to folic acid awareness and birth defects prevention (House, No. 2103, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4076) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Board of  
registration,—  
naturopathy.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill establishing a board of registration in naturopathy (House, No. 3674), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Aphasia,—  
study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Resolve providing for an investigation and study by a special commission relative to aphasia (House, No. 3455), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal  
assurance fee  
exemption.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill amending MGL 21E AND 310 CMR 4.03 (House, No. 3992).

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to insurance in the Commonwealth (House, No. 2779). State projects,— insurance.

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

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill waiving bank fees for the disabled (House, No. 961). Disabled,— bank fees.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, No. 1006, a Bill relative to the definition of autism in the childrens autism Medicaid waiver (House, No. 4075). Autism,— definition.

By Ms. Peake of Provincetown, for the committee Municipalities and Regional Government, on a petition, a Bill relative to the compensation of the Soldiers' Memorial Commission of the city of Holyoke (House, No. 4029) [Local Approval Received]. Holyoke,— Soldiers' Memorial Commission.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill streamlining municipal collection (House, No. 3994). Municipal collection.

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

*Emergency Measure.*

The engrossed Bill designating a certain underpass in the town of Mansfield as the Patrolman Walter P. Langley Memorial Underpass (see House, No. 3922, 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. Mansfield,— Walter P. Langley Memorial Underpass.

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 17 to 0. Sent to the Senate for concurrence.

*Engrossed Bills.*

Engrossed bills

Providing for sewer commissioners in the town Wareham (see Senate, No. 1856) (which originated in the Senate); Bills enacted.

Relative to the filing deadline for residential exemptions, personal exemptions and tax deferrals in the city of Boston (see House, No. 2603); and

Relative to the powers of the Boston Fair Housing Commission (see House, No. 3625);

(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.

*Matter Discharged from the Orders of the Day.*

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1981; and inserting before the enacting clause an emergency preamble) of the House Bill relative to Elections,— early voting.

Elections,—  
early  
voting.

election laws (House, No. 3788), recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4072, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Murphy of Weymouth.

Conference  
committee  
report  
accepted,—  
yea and nay  
No. 369.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 147 members voted in the affirmative and 4 in the negative.

**[See Yea and Nay No. 369 in Supplement.]**

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

*Orders of the Day.*

Third  
reading  
bill.

The House Bill establishing the position of appointed town treasurer-collector in the town of Somerset (House, No. 4027) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Second  
reading  
bills.

Senate bills  
Amending the charter of the city known as the town of Greenfield (Senate, No. 2103); and  
Further regulating town meeting notices (Senate, No. 2121); and  
House bills  
Relative to protecting consumers of the Commonwealth (House, No. 263, changed);  
Relative to telemarketing solicitation (House, No. 285);  
Relative to the Massachusetts Life and Health Insurance Guaranty Association law (House, No. 922);  
Authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a parcel of land in the town of Plymouth (House, No. 3960);  
Authorizing the town of Holliston to establish a department of public works (House, No. 3961);  
Relative to unpaid sewer use charges in the city of Holyoke (House, No. 3962); and  
To allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 4060);  
Severally were read a second time; and they were ordered to a third reading.

Farmers'  
markets.

The House Bill relative to farmers' markets (House, No. 3745), was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Heroux of Attleboro moved to amend it in line 5 by striking out the words "at least two local" and inserting in place thereof the words "local area".

The amendment was adopted; and the bill (House, No. 3745, amended) was ordered to a third reading.

The House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4069), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Supplemental  
appropriations.

After remarks on the question on passing the bill to be engrossed, Mrs. O'Connell of Taunton moved to amend it by adding the following section:

“SECTION 24. Notwithstanding any general or special law to the contrary, infants born addicted to drugs as a result of the use of illegal drugs by the birth mother during pregnancy shall be placed under the care and custody of the department of children and families and placed in an appropriate foster care home. The birth mother shall submit to treatment and random drug testing as a provision of the service plan. No infant or child shall be placed with a parent or guardian who has failed a drug test under the service plan.”

Pending the question on adoption of the amendment, Mr. Linsky of Natick moved to amend it by adding the following section:

“SECTION 25. Notwithstanding any special or general law to the contrary, the provisions of section 24 shall not take effect until such time as (i) the executive office of health and human services, in conjunction with the committee for public counsel services and the office of the attorney general, furnishes a study to the joint committee on children, families and persons with disabilities and the joint committee on judiciary detailing the practice of current policy with respect to service plans for parents whose children have been placed in the care of the department of children and families, including existing court mandated drug testing; the impact of the section upon the judicial system of the commonwealth due to increased appeals by parents; and the section's impact on the rights of individuals pursuant to Article XIV of the Constitution to due process under the law; the study shall also include a distributional analysis showing the impact on residents of varying income levels and the current practice of other states; and (ii) until legislation necessary to carry out any recommendations pursuant to the study has been filed with the General Court and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O'Connell of Taunton; and on the roll call 118 members voted in the affirmative and 31 in the negative.

Further  
amendment  
adopted,—  
yea and nay  
No. 370.

**[See Yea and Nay No. 370 in Supplement.]**

Therefore the further amendment was adopted.

The amendment offered by Mrs. O'Connell, as amended, then also was adopted.

Mrs. O'Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 26. Chapter 3 of the General Laws is hereby amended by inserting after section 38B the following section:—

Section 38B½. The committee on ways and means of each branch of the general court shall conduct no less than 6 public hearings on bills referred to them that purport to establish, increase or expand any

new or existing taxes or fees. The committees shall give 3 days' public notice prior to holding such public hearings. Each hearing shall be conducted in a distinct geographical region of the commonwealth."

Amendment  
rejected,—  
yea and nay  
No. 371.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 31 members voted in the affirmative and 118 in the negative.

**[See Yea and Nay No. 371 in Supplement.]**

Therefore the amendment was rejected.

Mrs. O'Connell then moved to amend the bill by adding the following section:

"SECTION 26. Section 5A of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the figures '12' and inserting in place thereof the following figure:— 5."

Amendment  
rejected,—  
yea and nay  
No. 372.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the Mrs. O'Connell of Taunton; and on the roll call 30 members voted in the affirmative and 117 in the negative.

**[See Yea and Nay No. 372 in Supplement.]**

Therefore the amendment was rejected.

Mr. Diehl of Whitman then moved to amend the bill by inserting after section 6 the following section:

"SECTION 6A. Section 2 of chapter 38 of the acts of 2013 is hereby amended by inserting after item 1790-0350 the following item:—

**MASSACHUSETTS DEPARTMENT OF  
TRANSPORTATION.**

1790-0351 For the purposes of clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws; provided, that a city or town shall comply with the procedures established by the Massachusetts Department of Transportation; provided further, that a city or town may appropriate for such projects amounts not in excess of the amount provided to the city or town pursuant to this item; provided further, that the appropriation shall be considered an available fund upon approval of the commissioner of revenue pursuant to section 23 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse a city or town pursuant to this item, subject to the availability of funds as provided in section 9G of chapter 29 of the General Laws, within 30 days after receipt by the department of a request for reimbursement from the city or town, which request shall include certification by the city or town that actual expenses have been incurred on projects eligible for reimbursement under this item and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with applicable laws and regulations and procedures established by the department; and pro-

vided further, that funds appropriated in this item shall not revert and shall be available for expenditure through June 30, 2015 .....	\$100,000,000
Commonwealth Stabilization Fund.....	100%.”.

Pending the question on adoption of the amendment, Mr. Straus of Mattapoisett moved to amend it by adding the following section:

“SECTION 6B. Notwithstanding any special or general law to the contrary, the provisions of section 6A shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue and the department of transportation, have furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, the impact on the bond rating of the commonwealth due to the withdrawal from the Stabilization Fund for purposes that are otherwise funded by authorizing general obligation bonds of the commonwealth, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and ancillary economic activity to the joint committees on revenue and transportation and until legislation necessary to achieve the recommendations has been filed with the General Court and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Straus; and on the roll call 114 members voted in the affirmative and 33 in the negative.

Further amendment adopted,—yea and nay No. 373.

**[See Yea and Nay No. 373 in Supplement.]**

Therefore the further amendment was adopted.

The amendment offered by Mr. Diehl, as amended, then also was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 23, in line 135, by inserting after the following: “2014.” the following paragraph:

“Said deposit shall not occur until the executive office of health and human services conducts a review and provides the legislature with a report outlining the financial impact of the failed health connector website. The review shall include a cost analysis of state funds expended for temporary coverage, including those funds that would have been reimbursed by the federal government had the Connector website been properly functioning. Further, the executive office of health and human services shall investigate all means of recouping such funds, including any legal and cost effective means of collecting funds under the commonwealth’s contract with third-party vendors. The executive office of health and human services shall provide a report of their findings to the clerks of the house of representatives and senate, and the joint committee on health care financing.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 40 members voted in the affirmative and 110 in the negative.

Amendment rejected,—yea and nay No. 374.

**[See Yea and Nay No. 374 in Supplement.]**

Therefore the amendment was rejected.

Supplemental  
appropriations.

Mr. Dempsey of Haverhill then moved to amend the bill by striking out sections 7 to 21, inclusive (as published), and inserting in place thereof the following fifteen sections:

“SECTION 7. Item 4800-0015 of section 2 of chapter 38 of the acts of 2013 is hereby amended by striking out the words ‘; provided further, that the commissioner may transfer funds between items 4800-0038, 4800-0040 and 4800-0041 for services only, as necessary, under an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and no transfers shall be made for administrative costs’ and inserting in place thereof the following words:— ; provided further, that the commissioner may transfer funds among items 4800-0038, 4800-0040, 4800-0041, and 4800-0015; provided further, that the commissioner may transfer funds from items 4800-0038, 4800-0040, 4800-0041 and 4800-0015 to item 4800-1100.

SECTION 8. Item 7002-0012 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through September 1, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 9. Item 7009-6400 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 10. Item 7009-9600 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 11. Item 7035-0035 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 12. Item 7061-9404 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 13. Item 7061-9408 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 14. Item 7061-9412 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 15. Item 7061-9611 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 16. Item 7061-9804 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 17. Item 7066-0025 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’

and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 18. Item 7066-0040 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 19. The salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff and Teamsters Local 122 shall be effective for the purpose of section 7 of chapter 150E of the General Laws.

SECTION 20. (a) Upon certification by the executive office for administration and finance, an amount of not more than \$65,000,000 equal to federal financial participation funds received shall be deposited in the Commonwealth Care Trust Fund. To accommodate the timing of federal revenue receipts after June 30, 2014 amounts that would be collected during the fiscal year 2014 accounts receivable period shall be deposited in the fund on a projected basis on June 15, 2014.

(b) The Commonwealth Care Trust Fund need not be in balance at the close of fiscal year 2014, but shall be in balance at the close of fiscal year 2015.

SECTION 21. (a) Notwithstanding chapter 334 of the acts of 1996 or any other general or special law to the contrary, control and custody of the William A. Hinton State Laboratory Institute located in the Jamaica Plain section of the City of Boston is transferred from the University of Massachusetts to the division of capital asset management and maintenance, effective July 1, 2014. After the effective date of that transfer, the division may assign the use of space within the property to 1 or more state agencies and may make expenditures and perform maintenance for the property that it considers reasonable and appropriate.

(b) Employees of the University of Massachusetts Medical School engaged in the maintenance and security of the facility known as the William A. Hinton state laboratory institute located in the Jamaica Plain section of the city of Boston shall be transferred to the division of capital asset management and maintenance effective July 1, 2014. The personnel administrator of the commonwealth, in consultation with the division of capital asset management and maintenance, shall complete a study of job titles of the former University of Massachusetts Medical School employees at the facility. The personnel administrator, in consultation with the division, shall determine the appropriate commonwealth job titles for former employees of the University of Massachusetts Medical School transferred to the division. Employees transferred to the division shall be placed in job titles as determined by the personnel administrator, and shall be paid wages and receive benefits consistent with the collective bargaining agreement governing those job titles. Such a transfer shall not impair the civil service status of any such transferred employee who immediately before the effective date of that transfer either held a permanent appointment in a position classified under chapter 31 of the General Laws or had tenure in a position by reason of section 9A of section 9A of chapter 30 of the General Laws.”

The amendment was adopted.

Bill passed to  
be engrossed,—  
yea and nay  
No. 375.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 120 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 375 in Supplement.]**

Therefore the bill (House, No. 4081, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Ms. Peake of Provincetown was spread upon the records of the House, as follows:

Statement of  
Ms. Peake of  
Provincetown.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

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

---

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-one after four o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

# JOURNAL OF THE HOUSE.

---

Thursday, May 15, 2014.

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.

### *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, 7th grade students from Saint Francis Xavier School of Weymouth. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Murphy of Weymouth. Saint Francis  
Xavier School  
of Weymouth.

### *Resolutions.*

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

Resolutions (filed by Mr. Fernandes of Milford) congratulating Rita Sullivan on the occasion of her one hundredth birthday; Rita  
Sullivan.

Resolutions (filed by Mr. Roy of Franklin) congratulating Bradley Clements on receiving the Eagle Award of the Boy Scouts of America; and Bradley  
Clements.

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

Mr. Binienda of Worcester, 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. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Order.*

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently: Financial  
Services,—  
extension of  
time for  
reporting.

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Thursday, July 31, 2014, within which time to make its final report on current Senate documents numbered 430 and 471, and House documents numbered 903, 915, 916, 931, 941, 956, 974, 976, 977, 984 and 995.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion Mr. Costello, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Paper from the Senate.*

Substance  
abuse  
recovery.

The Senate Bill to increase opportunities for long-term substance abuse recovery (Senate, No. 2142) (on Senate bill No. 2133), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

*Reports of Committees.*

By Mr. Binienda of Worcester, 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:

Education,—  
common core  
standards.

Petition (accompanied by bill) of Keiko M. Orrall and others for legislation to authorize the board of elementary and secondary education to develop or implement the common core standards. To the committee on Education.

Maria  
Blanciforte,—  
sick leave.

Petition (accompanied by bill) of Carlo Basile for legislation to establish a sick leave bank for Maria Blanciforte, an employee of the Department of Developmental Services; and

Thomas Brian  
Donnelly,—  
retirement.

Petition (accompanied by bill) of Thomas Brian Donnelly for legislation to grant Thomas Brian Donnelly one year of creditable service in the Teachers' Retirement System;

Severally to the committee on Public Service.

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

Pathfinder  
Regional  
Vocational-  
Technical  
High School.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the Pathfinder Regional Vocational-Technical High School (House, No. 3941), 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; and it was ordered to a third reading.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration:

Northampton  
State  
Hospital,—  
advisory  
committee.

Of the petition (accompanied by bill, House, No. 1032) of Peter V. Kocot and Stanley C. Rosenberg relative to the composition of the citizens advisory committee for the former Northampton State Hospital; and

Health Care  
Security  
Trust,—  
trustees.

Of the petition (accompanied by bill, House, No. 1056) of John W. Scibak relative to increasing the number of trustees on the Health Care Security Trust Board from seven to eight;

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Addiction  
treatment,—  
study.

By Mr. Binienda of Worcester, for the committee on Rules, that the Bill to provide Addiction/Sobriety Solutions through Increased Substance Treatment (ASSIST) (House, No. 3825), ought to pass. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill providing unpaid family and medical leave (House, No. 1740). Unpaid family and medical leave.

By the same member, for the same committee, on a petition, a Bill clarifying patient safety protections (House, No. 1773). Hospitals,—staffing levels.

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

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 510, a Bill establishing a grant program for expanding learning time and improving student success (House, No. 4073). Schools,—learning time.

By Mr. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, No. 3963, a Bill authorizing the use of bow and arrows for Sunday deer hunting (House, No. 4074) [Senator Brownsberger dissenting]. Deer hunting,—Sundays.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill regarding unemployment payments by cities and towns (House, No. 1770). Unemployment payments.

By the same member, for the same committee, on House, No. 3296, a Bill to reconcile and update employment insurance for agricultural workers (House, No. 4083). Farm workers,—employment insurance.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill in aid of libraries (House, No. 3943, changed in line 3 by inserting after the word “other” the word “used”). Libraries,—sale of used items.

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

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill relative to job creation through employee ownership (House, No. 1747). Employee ownership.

By the same member, for the same committee, on Senate, No. 846 and House, Nos. 1715 and 1729, a Bill relative to non-competition agreements (House, No. 4082). Non-competition agreements.

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

*Orders of the Day.*

Senate bills

Increasing the membership of the city of Lowell board of license commissioners from 3 to 5 members (Senate, No. 935); and Third reading bills.

Authorizing the temporary use of certain park lands in the city of Newton (Senate, No. 1991);

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, in concurrence.

---

The House Bill authorizing the city of New Bedford to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4054) (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. New Bedford,—liquor license.

New Bedford,—  
liquor  
license.

Pending the question on passing the bill to be engrossed, Mr. Cabral of New Bedford moved to amend it in section 1 (as published), in lines 6 to 14, inclusive, by striking out the two paragraphs contained in those line and inserting in place thereof the following two paragraphs:

“The licensing authority shall not approve the transfer of the license to any other location or any other person, corporation or organization. The license issued pursuant to this act shall be clearly marked ‘non-transferable’ on the face of the license.

If the license granted under this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority. Any license issued pursuant to this act which is returned to the licensing authority shall not be reissued.”

The amendment was adopted; and the bill (House, No. 4054, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

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.

Next  
sitting.

---

At nine minutes after eleven o’clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

# JOURNAL OF THE HOUSE.

---

Monday, May 19, 2014.

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 Mr. Madden of Nantucket, the members, guests and employees stood in a moment of silent tribute to the memory of Francis "Pat" Gregory of West Tisbury. Mr. Gregory, a former West Tisbury School mathematics teacher, served as town moderator since 1991. He had served on many community boards and was the owner of Educomp, a computer and arts supplies business. Pat was taken from us on Friday, May 16 in a tragic and senseless incident while hiking in northern California. Francis "Pat" Gregory.

### *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, 8th grade students from Watertown Middle School. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Messrs. Lawn of Watertown and Hecht of Watertown. Watertown Middle School.

### *Resolutions.*

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

Resolutions (filed by Mr. DeLeo of Winthrop and other members of the House) celebrating the one hundredth anniversary of the Dante Alighieri Society of Massachusetts; Dante Alighieri Society.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Samuel Lanciano earning the Eagle Scout Award; Samuel Lanciano.

Resolutions (filed by Ms. Khan of Newton) congratulating Joseph Russo on his retirement from the Newton Public Schools; Joseph Russo.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Matthew Jelly Chadwick on receiving the Eagle Award of the Boy Scouts of America; Matthew Jelly Chadwick.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating John Anthony Moshon on receiving the Eagle Award of the Boy Scouts of America; John Anthony Moshon.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Tyler R. Paul on receiving the Eagle Award of the Boy Scouts of America; Tyler R. Paul.

Resolutions (filed by Mr. Mirra of West Newbury) congratulating Evan Sinclair Stentiford on receiving the Eagle Award of the Boy Scouts of America; Evan Sinclair Stentiford.

Lillian  
Lamperti.

Resolutions (filed by Ms. Peake of Provincetown) honoring Lillian Lamperti for her more than forty years of service to the town of Eastham; and

John  
Fortini.

Resolutions (filed by Ms. Peisch of Wellesley) honoring John Fortini for his thirty years as leader of Troop 185 in Wellesley;

Mr. Binienda of Worcester, 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. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communication.*

MBTA,—  
operations  
report.

A communication from MassDOT, Rail and Transit Division (see Section 5 of Chapter 161A of the General Laws) submitting the annual report of operations of the Massachusetts Bay Transportation Authority for the calendar year 2013, was placed on file.

*Annual and Special Reports.*

Energy  
resources.

The annual report of the Executive Office of Energy and Environmental Affairs of the Department of Energy Resources (under Section 5 of Chapter 25A of the General Laws) for the fiscal year 2013; and

Tourism  
commission.

A special report of the Tourism Formula Commission (under Section 195 of Chapter 38 of the Acts of 2013) relative to tourism in the Commonwealth and the distribution of funds in the Massachusetts Tourism Fund;

Severally were placed on file.

*Petitions.*

Medford,—  
traffic  
commission.

Mr. Donato of Medford and Senator Jehlen presented a joint petition (accompanied by bill, House, No. 4095) of Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) that the city of Medford be authorized to extend the authority of the traffic commission to include public off-street parking areas, 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:

Massachusetts  
Bay  
Charter.

By Ms. Atkins of Concord, a petition (subject to Joint Rule 12) of Cory Atkins for legislation to authorize the State Secretary to loan the Charter of the Province of the Massachusetts Bay of 1691.

Thomas D.  
Tierney,—  
sick leave.

By Representative Farley-Bouvier of Pittsfield and Senator Downing, a joint petition (subject to Joint Rule 12) of Tricia Farley-Bouvier and Benjamin B. Downing for legislation to establish a sick leave bank for Thomas D. Tierney, an employee of the Highway Division of the Massachusetts Department of Transportation.

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

*Papers from the Senate.*

Minimum  
wage and

The Senate Bill restoring the minimum wage and providing unemployment insurance reforms (Senate, No. 2123), came from the Senate

with the endorsement that said branch had non-concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4079; and striking out the title and inserting in place thereof the following title: "An Act relative to workforce reform.").

unemployment insurance.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Brewer, Wolf and Humason had been appointed to the committee on the part of the Senate.

Committee of conference.

On motion of Mr. Dempsey of Haverhill, the House insisted on its amendments; and concurred with the Senate in the appointment of a committee of conference. Representatives Dempsey, Conroy of Wayland and Peterson of Grafton were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

The House Bill authorizing the Department of Fish and Game to exchange a certain parcel of land in the town of Grafton (House, No. 3775, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2145; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Grafton,—land.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the department of fish and game to acquire certain parcels of land in the town of Grafton from the Grafton Water District, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act authorizing the Department of Fish and Game to acquire certain parcels of land in the town of Grafton from the Grafton Water District."

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill releasing certain land in Dracut from operation of an agricultural preservation restriction (House, No. 3800), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2146; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Dracut,—land.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to release forthwith certain land in the town of Dracut from the operation of an agricultural restriction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act releasing certain land in the town of Dracut from the operation of an agricultural preservation restriction."

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Cape, etc.,—  
property  
insurance.

A Resolve creating the Cape and Islands Property Insurance Commission (Senate, No. 2144) (on Senate bill, No. 980), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Worcester,—  
board of  
health.

A Bill relative to the board of health in the city of Worcester (Senate, No. 2065) (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.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

Lancaster,—  
recall  
elections.

A Bill providing for recall elections in the town of Lancaster (Senate, No. 2040, changed in section 3, in line 25, by striking out the word “forthwith” and inserting in place thereof the following: “within 5 working days”; and amended in section 4, in line 28, by striking out the words “town clerk” and inserting in place thereof the words “board of registrars”, and by adding the following section:

“SECTION 10. This act shall take effect upon its passage.”) (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.

Sturbridge,—  
betterment  
assessment.

A petition (accompanied by bill Senate, No. 2140) of Stephen M. Brewer, Todd M. Smola and Anne M. Gobi (by vote of the town) for legislation relative to a betterment assessment in the town of Sturbridge, was referred, in concurrence, to the committee on Revenue.

Denise  
Frost,—  
sick leave.

A petition (accompanied by bill) of Marc R. Pacheco and Patricia A. Haddad for legislation to establish a sick leave bank for Denise Frost, an employee of the Department of Developmental Services, 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. 2150) was referred, in concurrence, to the committee on Public Service.

### *Reports of Committees.*

Sharks,—  
protection.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to ocean ecology and shark protection (House, No. 3571), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4088). 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4088) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the preparation of certain bilingual ballots in the city of Boston (House, No. 3914), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4089). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston,—  
bilingual  
ballots.

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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4089) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill allowing for the appointment of designees to the Inspector General Council (House, No. 3937), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4090). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Inspector  
General  
Council.

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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4090) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to improving student achievement (House, No. 3984), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4091). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Student  
achievement.

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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4091) was ordered to a third reading.

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

The Senate Bill designating a certain bridge in the city of Easthampton as the Korean War Veterans Memorial bridge (Senate, No. 1675); and

Easthampton,—  
bridge.

House bills

Designating a certain bridge in the city of Westfield as the All Westfield Patriots bridge (House, No. 3084); and

Westfield,—  
bridge.

Relative to the compensation of the Soldiers' Memorial Commission of the city of Holyoke (House, No. 4029) [Local Approval Received];

Holyoke,—  
soldiers'  
memorial.

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.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration of the following bills:

Services,—  
equal access. Ensuring equal access to services for all residents of the Commonwealth (House, No. 147);

Medical exams. Relative to impartial medical examiners (House, No. 1697);

Construction  
contracts. To promote responsible contracting on state construction projects (House, No. 2792); and

Chemicals. For healthy families and businesses (House, No. 3997);

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, inso-much as relates to the discharge of the committee.

Motor  
vehicles,—  
repairs. By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, ought NOT to pass, on the petition (accompanied by bill, House, No. 254) of Paul McMurtry and others relative to providing complete repair and diagnostic information to motor vehicle owners and automotive businesses in the repair of motor vehicles.

Danvers,—  
alcoholic  
beverages. By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 288) of Theodore C. Speliotis (by vote of the town) for legislation to authorize the town of Danvers to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises.

Revere,—  
licenses. By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3386) of Kathi-Anne Reinstein and Anthony W. Petrucci (with the approval of the mayor and city council) relative to the issuance of secondhand dealers licenses in the city of Revere.

Alcoholic  
beverages,—  
licensing. By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3420) of Harold P. Naughton, Jr., relative to authorizing municipalities to issue licenses for the sale of alcoholic beverages for consumption both on and off the premises.

Taunton,—  
alcoholic  
beverages. By the same member, for the same committee, ought NOT to pass, on the joint petition (accompanied by bill, House, No. 3874) of John M. McCaul (with the approval of the mayor and municipal council) that the city of Taunton be authorized to issue additional licenses for the sale of all alcoholic beverages and wine and malt beverages not to be drunk on the premises.

Home health  
services,—  
applicants. By Ms. Benson of Lunenburg, for the committee on Health Care Financing, ought NOT to pass, on the petition (accompanied by bill, House, No. 1028) of Kate Hogan and others that applicants to provide home health services submit to a certificate of need review established by the Department of Public Health.

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

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill relative to the use and payment of ambulance services (House, No. 862), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4087) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Ambulance services.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the following bills ought to pass:

Regarding proportional payments of the Massachusetts Child Psychiatry Access Project (House, No. 1784) [Cost: Greater than \$100,000.00]; and

Child psychiatry.

Relative to the registration of podiatrists (House, No. 1938) [Cost: Greater than \$100,000.00].

Podiatrists,— registration.

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

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill relative to promoting women's health (House, No. 847), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4086). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Women's health.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill relative to Medicaid spending (House, No. 1818), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Medicaid spending.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on Senate, No. 528 and House, No. 1009, a Bill relative to review of adult foster care services (House, No. 1009) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Adult foster care,— review.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on a joint petition, a Bill relative to continuity of care for families enrolled in MassHealth (House, No. 1058).

MassHealth,— continuity.

By the same member, for the same committee, on Senate, No. 565 and House, No. 1060, a Bill relative to MassHealth readmission payments (House, No. 1060).

MassHealth,— readmissions.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a joint petition, a Bill authorizing the reinstatement of Kenneth G. Laxton as a reserve police officer in the town of Southwick (House, No. 3853) [Local Approval Received].

Southwick,— Kenneth G. Laxton.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Marcy L. Bray, an employee of the Massachusetts Department of Developmental Services (House, No. 4041).

Marcy L. Bray,— sick leave.

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

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

- Woburn,—  
Robert  
DeNapoli. The Senate Bill relative to the disability retirement benefits of Woburn police officer Robert DeNapoli (Senate, No. 2134); and  
House bills
- Equine riders. Requiring the use of helmets for equine riders and drivers (House, No. 2158);
- Utility vehicles. To expand the move over law for utility vehicles (House, No. 3036);
- Motorcycles. Relative to motorcycle inspections (House, No. 3055);
- Headlights. Relative to the use of headlights (House, No. 3092);
- Turnpike. Relative to signs on the Massachusetts Turnpike (House, No. 3094);
- Assault,—  
sentencing. Relative to mandatory sentences for those committing an assault on a law enforcement officer (House, No. 3239);
- Aphasia,—  
study. Providing for an investigation and study by a special commission relative to Aphasia (House, No. 3455);
- Collections. Streamlining municipal collection (House, No. 3994);
- Agriculture. To enhance agricultural operations (House, No. 4061); and
- Medicaid,—  
autism  
waiver. Relative to the definition of autism in childrens autism Medicaid waiver (House, No. 4075);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

#### *Emergency Measure.*

The engrossed Bill relative to election laws (see House, No. 3788, 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.

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.

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.

Elections,—  
early  
voting.

Bill  
enacted.

#### *Engrossed Bills.*

Id. The engrossed Bill designating a certain underpass in the town of Mansfield as the Patrolman Walter P. Langley Memorial Underpass (see House, No. 3922, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id. The engrossed Bill increasing the membership of the city of Lowell board of license commissioners from 3 to 5 members (see Senate, No. 935) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Senate bills

Relative to the Falmouth Historic District Commission (Senate, No. 1941, changed) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Establishing a charter for the town of Wrentham (Senate, No. 2005);

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, in concurrence.

The House Bill relative to the Pathfinder Regional Vocational-Technical High School District (House, No. 3941) (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. Pathfinder Regional Vocational-Technical High School District.

Pending the question on passing the bill to be engrossed, Mr. Smola of Warren moved to amend it in section 1, in line 3, by striking out the following: "May, 31" and inserting in place thereof, the following: "June 30".

The amendment was adopted; and the bill (House, No. 3941, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet on Wednesday next at one o'clock P.M. Next sitting.

At twenty-six minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at one o'clock P.M.

## JOURNAL OF THE HOUSE.

---

Wednesday, May 21, 2014.

Met at eight minutes after one o'clock P.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.

### *Silent Prayer.*

James T.  
Buckley.

At the request of Representatives Balsler of Newton, Khan of Newton and Lawn of Watertown, the members, guests and employees stood in a moment of silent prayer in respect to the memory of James T. Buckley, who passed away on Sunday, May 18th.

Jim was an employee of the Legislature for over 20 years in the information technology department, holding positions from Director of Data Processing to Manager of Applications.

Jim was a veteran of the United States Coast Guard. He was also a piano player and vocalist who entertained professionally for many years.

He is survived by his wife of 50 years, Margaret, his daughter Kathleen Buckley, his son James Buckley, Jr., and his wife Tracy, and four grandchildren.

He will be sorely missed by all of his family, friends and co-workers.

Marshfield  
Police Officer  
Robert  
Quigley, Jr.

At the request of Mr. Cantwell of Marshfield, the members, guests and employees stood in a moment of silent prayer in honor of and in respect to the memory of Marshfield Police Officer Robert Quigley, Jr., who died this week after courageously fighting a lengthy illness. Officer Quigley contributed over 32 years of distinguished service to the town of Marshfield as a police officer, twenty of those years as the Resource Officer for Marshfield High School and Middle School.

Officer Quigley previously served our Nation as a Sergeant in the Army, having served for over ten years during the Vietnam era and as an Army Reservist. He was 59 years old and leaves behind his wife, Okcha.

### *Resolutions.*

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

Robert  
McRae.

Resolutions (filed by Mr. Hill of Ipswich) honoring Robert McRae for his dedication to the community of Hamilton;

Joshua E.B.  
Cobb.

Resolutions (filed by Messrs. Barrows of Mansfield and Howitt of Seekonk) congratulating Joshua E.B. Cobb on receiving the Eagle Award of the Boy Scouts of America;

Thomas  
Donnelly.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Thomas Donnelly on receiving the Eagle Award of the Boy Scouts of America;

Suzanne  
Kennedy.

Resolutions (filed by Messrs. Fernandes of Milford and Roy of Franklin) congratulating Suzanne Kennedy on the occasion of her retirement; and

Resolutions (filed by Mr. Scibak of South Hadley) congratulating Hopkins Academy in the town of Hadley on its three hundred and fiftieth anniversary; Hadley,—  
Hopkins  
Academy.

Mr. Binienda of Worcester, 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. Barrows, 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

From the Board of Registration in Pharmacy (see item 4510-0722 contained in Section 2 of Chapter 38 of the Acts of 2013) submitting its first annual report detailing the investigatory and disciplinary actions conducted by said board for the period September 1, 2012 to December 1, 2013; and Pharmacy  
board,—  
investigations.

From the Plymouth County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of said plan were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; Plymouth  
County  
Registry of  
Deeds.

Severally were placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Coppinger of Boston, a petition (accompanied by bill, House, No. 4099) of Edward F. Coppinger (with the approval of the mayor and city council) that the city of Boston be authorized to issue certain licenses for the sale of alcoholic beverages in said city. To the committee on Consumer Protection and Professional Licensure. Boston,—  
liquor  
licenses.

By Ms. Harrington of Groton, a petition (accompanied by bill, House, No. 4100) of Sheila C. Harrington (by vote of the town) relative to validating the actions approved at the March 15, 2014 special town meeting held in the town of Ashby. Ashby,—  
town  
meeting.

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4101) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to convey a certain parcel of land to the Nantucket Land Bank. Nantucket  
Land  
Bank.

By the same members, a joint petition (accompanied by bill, House, No. 4102) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) relative to the composition of the Nantucket Historic District Commission. Nantucket,—  
Historic  
District  
Commission.

By the same members, a joint petition (accompanied by bill, House, No. 4103) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the county of Nantucket be authorized to transfer a certain parcel of land to the town of Nantucket for general municipal purposes. Nantucket,—  
land.

Severally to the committee on Municipalities and Regional Government.

Nantucket,—  
funeral  
regulations.

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4104) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Nantucket be authorized to exempt funeral directors, embalmers, funeral homes, and crematories from certain regulations. To the committee on Public Health.

Holyoke,—  
David  
Zolendziewski.

By Mr. Vega of Holyoke, a petition (accompanied by bill, House, No. 4105) of Aaron Vega that the retirement board of the city of Holyoke be authorized to issue killed in the line of duty pension benefits to the surviving spouse and family of Holyoke Police Officer David Zolendziewski. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Norfolk  
County,—  
simulcasting.

By Mr. Dooley of Norfolk, a petition (subject to Joint Rule 12) of Shawn Dooley and Richard J. Ross relative to simulcast wagering in Norfolk County; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

Methuen,—  
Martin B.  
Parayno.

The House Bill exempting Martin B. Parayno from the maximum age requirement for firefighters in the city of Methuen (House, No. 3637, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 1 of chapter 18 of the acts of 2014 is hereby amended by striking out the last sentence.

SECTION 2. Notwithstanding sections 58, 61A and 61B of chapter 31 of the General Laws or any other general or special law to the contrary, Martin B. Parayno may be certified for original appointment to the position of firefighter in the city of Methuen, notwithstanding having reached the age of 32 before taking any civil service examination in connection with the appointment. In all other respects, Martin B. Parayno shall be eligible for appointment to the position of firefighter in the city of Methuen only insofar as he qualifies and is selected for employment pursuant to said chapter 31, regulations of the civil service commission and lawful hiring practices of the city of Methuen.

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.

Bellingham,—  
charter.

A Bill relative to the charter of the town of Bellingham (Senate, No. 2066) (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.

Rockport,—  
police chief.

A petition (accompanied by bill Senate, No. 2147) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation to exempt the position of police chief of the town of Rockport from the civil service law, was referred, in concurrence, to the committee on Public Service.

*Reports of Committees.*

By Mr. Binienda of Worcester, 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:

Petition (accompanied by bill) of Tricia Farley-Bouvier and Benjamin B. Downing for legislation to establish a sick leave bank for Thomas T. Tierney, an employee of the Massachusetts Department of Transportation. To the committee on Public Service. Thomas T. Tierney,—  
sick leave.

Petition (accompanied by bill) of Cory Atkins for legislation to authorize the State Secretary to loan the Charter of the Province of Massachusetts Bay of 1691. To the committee on State Administration and Regulatory Oversight. Massachusetts Bay,—  
charter.

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

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the following bills ought to pass:

Recognizing pharmacists as healthcare providers (House, No. 2060) [Cost: Greater than \$100,000.00]; Pharmacists,—  
designation.

Regarding spouses as caregivers (House, No. 3716) [Cost: Greater than \$100,000.00]; Caregivers,—  
spouses.

Relative to postpartum depression screening (House, No. 3889) [Cost: Greater than \$100,000.00]; and Postpartum  
depression.

Relative to certified professional midwives (House, No. 3971) [Cost: Greater than \$100,000.00]. Midwives,—  
certification.

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

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the following bills ought to pass:

Relative to patient access to information regarding breast reconstructive surgery (House, No. 1959); Breast  
surgery.

Relative to physician assistants and interscholastic athletic head injuries (House, No. 1983); Head  
injuries.

Relative to comportsing state laws with Department of Defense rules on the disposition of service members' remains (House, No. 1991); Military,—  
bodies.

To eliminate antiquated hospital bed de-licensure rules (House, No. 2050); Hospital  
beds.

Relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 3907); Minors,—  
orientation.

To increase capacity to address the complex needs of students with autism (House, No. 4012); Autism,—  
students.

Relative to suicide prevention training in schools (House, No. 4013); Suicide.

and Epinephrine.

Relative to emergency stock epinephrine in schools (House, No. 4014). Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lupus  
erythematosus.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill to establish a lupus erythematosus study and registry (House, No. 1954), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4096).

Athletics,—  
safety  
programs.

By the same member, for the same committee, that the Bill clarifying participation in athletic safety programs (House, No. 1982), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4097).

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

### *Engrossed Bills.*

#### Engrossed bills

Bills  
enacted.

Relative to the Falmouth Historic District Commission (see Senate, No. 1941, changed); and

Establishing a charter for the town of Wrentham (see Senate, No. 2005); (Which severally originated in the Senate);

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.

### *Engrossed Bill — Land Taking.*

Newton,—  
land.

The engrossed Bill authorizing the temporary use of certain park lands in the city of Newton (see Senate, No. 1991) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted  
(land taking),—  
yea and nay  
No. 376.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 149 members voted in the affirmative and 0 in the negative.

### **[See Yea and Nay No. 376 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

### *Motions to Discharge Certain Matters in the Orders of the Day.*

Mr. Golden of Lowell being in the Chair,—

Sharks,—  
protection.

The House Bill relative to ocean ecology and shark protection (House, No. 4088), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Nangle of Lowell; and after remarks it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,—

Charter  
schools.

The House Bill relative to improving student achievement (House, No. 4091), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Ms. Peisch of Wellesley.

After debate on the question on passing the bill to be engrossed, Mr. Keenan of Salem moved to amend it (as changed by the committee on Bills in the Third Reading) by adding the following section:

“SECTION 48. The Department of Elementary and Secondary Education shall conduct a study to determine a reasonable use policy regarding extracurricular activities. Said study shall determine the feasibility of requiring that any charter school student be allowed to participate in any extracurricular activity offered exclusively in said student’s public school district, and furthermore, that any public school student be allowed to participate in any extracurricular activity offered exclusively at any charter school in the same district. The department shall issue a final report containing its findings and recommendations within one year of the effective date of this act. Said report shall be submitted to the clerks of the senate and house of representatives, who shall forward the report to the chairs of the joint committee on education and the senate and house committees on ways and means.”.

The amendment was adopted.

After remarks, Ms. Andrews of Orange moved to amend the bill by adding the following two sections:

“SECTION 49. There shall be a special commission to consist of: the house and senate chairs of the joint committee on education, who shall serve as co-chairs; the secretary of education; the commissioner of elementary and secondary education; the governor or a designee; and 1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, Inc.; the Massachusetts Business Alliance for Education, Inc.; Stand for Children, Inc.; the Massachusetts Association of School Committees, Inc.; the Massachusetts Association of School Superintendents, Inc.; the Massachusetts Teachers Association; the American Federation of Teachers Massachusetts; the Massachusetts Parent Teacher Association; the Massachusetts Association of Vocational Administrators; and the Massachusetts Association of Regional Schools, Inc. The commission shall review the impact and performance of charter schools, Horace Mann schools and school choice policy and make recommendations to the general court regarding such changes as may be appropriate. In conducting such review, the commission shall seek to determine any correlation between per capita income of students, equalized values of cities and towns, cost per student, and school performance. The review shall include, but not be limited to: class size; special education programs, including programs for English language learners; teacher salaries; extracurricular programs; and remedial programs. In carrying out the review, the commission shall examine relevant data and any reports on education outcomes produced within the 10 years preceding the issuance of a commission report. Members shall receive no compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The department of elementary and secondary education shall furnish reasonable staff and other support for the work of the commission.

Prior to issuing its recommendations, the commission shall conduct not fewer than 8 hearings to receive testimony from members of the public. The hearings shall be held in locations that provide opportunities for residents from all geographic regions of the commonwealth to testify.

Charter schools.

It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

The commission's recommendations, together with any proposed legislation, shall be filed within 1 year of the effective date of this act with the clerks of the senate and house of representatives who shall refer such recommendations to the appropriate committee of the general court. Within 30 days after such filing, the committee shall hold a public hearing on the recommendations.

SECTION 50. Section 40 shall not take effect until the special commission established in section 49 has filed its recommendations with the clerks of the senate and house of representatives.?

After remarks the amendment was rejected.

Mr. Hill of Ipswich then moved to amend the bill by adding the following four sections:

“SECTION 49. Section 89 of chapter 71 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, in section (h), the following paragraph:—

Within 30 days of the approval of a new commonwealth charter school in any community, the board shall issue a written confirmation that the school meets all requirements set out in subsection (b), (e) and (f) of this section and in the implementing regulations, and a summary of the reasons therefore.

SECTION 50. Said section 89 of said chapter 71, as so appearing, is hereby further amended, in subsection (l), by inserting at the end thereof the following sentence:—

Charter schools shall not solicit applications for enrollment by offering money or gifts of any monetary value as an incentive for application.

SECTION 51. Said section 89 of said chapter 71, as so appearing, is hereby further amended, in section (ee), by striking the first sentence and inserting in place thereof the following sentence:— The board may revoke a school's charter if the school has not fulfilled any conditions imposed by the board in connection with the grant of the charter, the school has violated any provision of its charter, or the board has substantially violated any provision of this section or its implementing regulations in granting the charter.

SECTION 52. Said section 89 of said chapter 71, as so appearing, is hereby further amended by adding at the end thereof the following new subsection:—

(nn) The board shall develop procedures and guidelines for the waiver of any regulations; provided, however, that no waiver shall be issued except at the written request of the charter applicant or at the written request of the board itself, both of which shall only be for exceptional circumstances. Said waiver must be accompanied by a written explanation of the reasons for the waiver, and may only be issued by a 2/3 vote of the board.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 50 members voted in the affirmative and 99 in the negative.

Amendment  
rejected,—  
yea and nay  
No. 377.

**[See Yea and Nay No. 377 in Supplement.]**

[Mr. Scaccia of Boston answered “Present” in response to his name.]

Therefore the amendment was rejected.

Mr. Cabral of New Bedford then moved to amend the bill in section 1, in line 85, by inserting after the word “students” the words “; provided that the school committee may retain said programs after the school is no longer designated as a challenge school”; and by adding the following three sections:

“SECTION 49. Subsection (c) of section 1J of chapter 69, as so appearing, is hereby amended by inserting after the words ‘chapter 71A’, in line 115, the following words:— ; provided that the school committee may retain said programs after the school is no longer designated as underperforming.

SECTION 50. Subsection (n) of section 1J of chapter 69, as so appearing, is hereby amended by inserting after the words ‘chapter 71A’, in line 443, the following words:— ; provided that the school committee may retain said programs after the school is no longer designated as chronically underperforming.

SECTION 51. Subsection (c) of section 1K of chapter 69, as so appearing, is hereby amended by inserting after the words ‘chapter 71A’, in line 106, the following words:— ; provided that the school committee may retain said programs after the school is no longer designated as chronically underperforming.”

The amendments were adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 1,

In line 53, by striking out the following: “section 9 of chapter 150E” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following: “impasse provisions under section 9 of chapter 150E or unilateral implementation after impasse pursuant to chapter 150E”;

In line 156, by striking out the following: “ the provisions of section 9 of chapter 150E” and inserting in place thereof the following: “impasse provisions under section 9 of chapter 150E or unilateral implementation after impasse pursuant to chapter 150E”;

In line 183, by striking out the word “superintendent” and inserting in place thereof the word: “superintendent”;

In section 34 (as published), in line 346, by striking out the word “plan” and inserting in place thereof the words “memorandum of understanding”; and

In section 42 (as published), in lines 413 through 422, inclusive, by striking out the two paragraphs contained in those lines and inserting in place thereof the following paragraph:

“The board shall give preference to applications for expansions under clause (i) or clause (ii) of this paragraph for existing charter schools that have an average 3-year student attrition rate that is equal to or less than the average 3-year student attrition rate of the schools within the sending district to be determined by the department or for

Charter schools.

existing charter schools that have successfully established collaborative relationships with their sending districts on the sharing of best practices. If an existing charter school applying for an expansion under clause (i) or clause (ii) of this paragraph has an average 3-year student attrition rate that is greater than the average 3-year student attrition rate of the schools within the sending district, such charter school shall include in its application for expansion a plan to reduce its attrition rates.”.

The amendments were adopted.

Bill passed to be engrossed,—  
yea and nay  
No. 378.

On the question on passing the bill, as amended, to be engrossed, the sense of the House taken by yeas and nays, at the request of Ms. Peisch of Wellesley; and on the roll call 114 members voted in the affirmative and 35 in the negative.

**[See Yea and Nay No. 378 in Supplement.]**

[Mr. Scaccia of Boston answered “Present” in response to his name.]

Therefore the bill (House, No. 4108, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

---

Accordingly, without proceeding to the matters in the Orders of the Day, at half past five o’clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.

# JOURNAL OF THE HOUSE.

---

Thursday, May 22, 2014.

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.

## *Guest of the House.*

During the session, Representative Walsh of Framingham took the Chair, declared a brief recess, and introduced Army National Guard Captain David DiGregorio, Deputy State Surgeon/Medical Management Unit, Massachusetts Army National Guard. He was the guest of Representative Walsh. Captain David DiGregorio.

## *Resolutions.*

Resolutions (filed with the Clerk by Ms. Garlick of Needham) congratulating Barrie H. Clough on the occasion of his retirement from the town of Dover, were referred, under Rule 85, to the committee on Rules. Barrie H. Clough.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Walsh of Framingham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

## *Paper from the Senate.*

The House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4081), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out sections 6A to 25, inclusive, and inserting in place thereof the following sixteen sections: Supplemental appropriations.

“SECTION 7. Item 4800-0015 of section 2 of chapter 38 of the acts of 2013 is hereby amended by striking out, in lines 140 to 144, inclusive, the words ‘between items 4800-0038, 4800-0040 and 4800-0041 for services only, as necessary, under an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and no transfers shall be made for administrative costs’ and inserting in place thereof the following words:— among items 4800-0038, 4800-0040, 4800-0041, and 4800-0015; provided further, that the commissioner may transfer funds from items 4800-0038, 4800-0040, 4800-0041 and 4800-0015 to item 4800-1100.

SECTION 8. Item 7002-0012 of said section 2 of said chapter 38 is hereby amended by striking out, in line 8, the words ‘through September 1, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

Supplemental  
appropriations.

SECTION 9. Item 7009-6400 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 54 and 55, the words ‘through August 31, 2014 to allow for summer programming’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 10. Item 7009-9600 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 73 and 74, the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 11. Item 7027-1004 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 20 and 21, the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 12. Item 7035-0035 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 29 and 30, the words ‘through August 31, 2014 to allow for summer programming’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 13. Item 7061-9404 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 30 and 31, the words ‘through August 31, 2014 to allow for summer remediation programs’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 14. Item 7061-9408 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 58 and 59, the words ‘through August 31, 2014, to allow for intervention and school and district improvement planning in the summer months’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 15. Item 7061-9412 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 36 and 37, the words ‘through August 31, 2014 to allow for planning and implementation during the summer months’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 16. Item 7061-9611 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 40 and 41, the words ‘through August 31, 2014 to allow for implementation of said programs during the summer months’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 17. Item 7061-9804 of said section 2 of said chapter 38 is hereby amended by striking out, in line 20, the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 18. Item 7066-0025 of said section 2 of said chapter 38 is hereby amended by striking out, in line 28, the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 19. Item 7066-0040 of said section 2 of said chapter 38 is hereby amended by striking out, in lines 15 and 16, the words ‘through August 31, 2014 to allow for summer programming’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 20. The salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff and Teamsters Local 122 shall be effective for the purpose of section 7 of chapter 150E of the General Laws.

SECTION 21. (a) Upon certification by the executive office for administration and finance, an amount of not more than \$65,000,000 equal to federal financial participation funds received shall be deposited in the Commonwealth Care Trust Fund established in section 2000 of chapter 29 of the General Laws. To accommodate the timing of federal revenue receipts after June 30, 2014 amounts that would be collected during the fiscal year 2014 accounts receivable period shall be deposited in the fund on a projected basis on June 15, 2014.

(b) The Commonwealth Care Trust Fund need not be required to be in balance at the close of fiscal year 2014 but shall be in balance at the close of fiscal year 2015.

SECTION 22. (a) Notwithstanding chapter 334 of the acts of 1996 or any other general or special law to the contrary, control and custody of the Dr. William A. Hinton State Laboratory at the State Laboratory Institute located in the Jamaica Plain section of the city of Boston shall be transferred from the University of Massachusetts to the division of capital asset management and maintenance on July 1, 2014. Upon such transfer, the division may assign the use of space within the property to state agencies and may make expenditures and perform maintenance for the property that it considers reasonable and appropriate.

(b) Upon the transfer required in subsection (a), employees of the University of Massachusetts Medical School engaged in the maintenance and security of the Dr. William A. Hinton State Laboratory at the State Laboratory Institute shall be transferred to the division of capital asset management and maintenance. The personnel administrator in the human resources division, in consultation with the division of capital asset management and maintenance, shall complete a study of job titles of the former University of Massachusetts Medical School employees at the laboratory. The personnel administrator, in consultation with the division, shall determine the appropriate commonwealth job titles for former employees of the University of Massachusetts Medical School who are transferred to the division under this section. Employees transferred to the division pursuant to this section shall be placed in job titles as determined by the personnel administrator and shall be paid wages and receive benefits consistent with the collective bargaining agreement governing those job titles. No transfer under this section shall impair the civil service status of a transferred employee who immediately before the effective date of that transfer either held a permanent appointment in a position classified under chapter 31 of the General Laws or had tenure in a position by reason of section 9A of chapter 30 of the General Laws.”

The amendment (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

*Reports of Committees.*

By Mr. Binienda of Worcester, 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:

Norfolk  
County,—  
simulcasting.

Petition (accompanied by bill) of Shawn Dooley and Richard J. Ross relative to simulcast wagering in Norfolk County. To the committee on Consumer Protection and Professional Licensure.

Richard  
Brophey,—  
sick leave.

Petition (accompanied by bill) of Sheila C. Harrington for legislation to establish a sick leave bank for Richard Brophey, an employee of the Department of Unemployment Assistance. To the committee on Public Service.

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

By Mr. Markey of Dartmouth, for the committee on the Judiciary, asking to be discharged from further consideration:

Middlesex  
County,—  
women's jail.

Of the petition (accompanied by bill, House, No. 1434) of Kay Khan, Denise Andrews and Jason M. Lewis for legislation to establish a women's correctional facility in Middlesex County; and

Suffolk  
County,—  
lockup.

Of the petition (accompanied by bill, House, No. 1538) of Eugene L. O'Flaherty and others for legislation to establish a regional lockup facility in Suffolk County.

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, inso-much as relates to the discharge of the committee.

Human  
service  
workers,—  
appeals.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1499) of Paul W. Mark relative to establishing an appeals process for private sector human service workers,— and recommending that the same be referred to the committee on Labor and Workforce Development.

Move over  
law,—  
civilians.

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3112) of Harold P. Naughton, Jr., for legislation to expand the move over law, so-called, to include vehicles operated by civilians,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, policy and Scheduling, that the following bills be scheduled for consideration by the House:

Chesterfield,—  
Gary  
Wickland.

The Senate Bill authorizing the town of Chesterfield to continue the employment of police chief Gary Wickland (Senate No. 2051) [Local Approval Received]; and

Marcy L.  
Bray,—  
sick leave.

The House Bill establishing a sick leave bank for Marcy L. Bray, an employee of the Massachusetts Department of Developmental Services (House, No. 4041);

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.

By Mr. Binienda of Worcester, for the committee on Rules, that the Bill relative to preserving Polish heritage in the Pioneer Valley (House, No. 1071), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Pioneer Valley,—  
Polish heritage.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to provide counseling services and medical leave for crew members of a railroad company involved in an accident resulting in loss of life or serious bodily injury (House, No. 3024). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Railroad crews,—  
accident counseling.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, No. 124, a Bill relative to fair hearings in the Department of Children and Families (House, No. 4106).

Child welfare,—  
hearings.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 4050, a Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Medfield (House, No. 4107) [Local Approval Received].

Medfield,—  
land.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill establishing an emergency responder yellow dot program (House, No. 3044).

Emergency responder program.

By the same member, for the same committee, on a petition, a Bill relative to motorcycle permit requirements (House, No. 3584).

Motorcycle permits.

By the same member, for the same committee, on House, No. 3068, a Bill to regulate the use of automatic license plate reader systems (House, No. 4098) [Senator Hedlund dissenting].

License plate reader systems.

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

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to special alcohol licenses for nonprofit organizations (House, No. 271).

Nonprofit organizations,—  
liquor licenses.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the use of shotguns (House, No. 711).

Shotguns,—  
bear hunting.

By the same member, for the same committee, on House, Nos. 713 and 728, a Bill relative to the use of crossbows in hunting (House, No. 713).

Crossbows,—  
hunting.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill relative to taking or transmitting images of crime victims by first responders (House, No. 4040).

Crime victims,—  
images.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill regarding independent contractors (House, No. 1711).

Independent contractors.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill relative to the town of Sterling (House, No. 3432) [Local Approval Received].

Sterling,—  
incentive program.

Dedham,—  
deputy police  
chief.

By the same member, for the same committee, on a joint petition, a Bill exempting the position of deputy police chief in the town of Dedham from the civil service law (House, No. 3517) [Local Approval Received].

Natick,—  
deputy police  
chief.

By the same member, for the same committee, on a joint petition, a Bill exempting the position of deputy chief of police in the town of Natick from the civil service law (House, No. 3552) [Local Approval Received].

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

*Orders of the Day.*

House bills

Third  
reading  
bills.

Authorizing the reinstatement of Richard L. Cross as a reserve police officer in the town of Southwick (House, No. 3852);

Authorizing the town of Holliston to establish a department of public works (House, No. 3961); and

Relative to the preparation of certain bilingual ballots in the city of Boston (House, No. 4089);

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.

Senate bills

Second  
reading  
bills and  
resolve.

Relative to the board of health in the city of Worcester (Senate, No. 2065); and

Relative to the disability retirement benefits of Woburn police officer Robert DeNapoli (Senate, No. 2134); and

House bills

To expand the move over law for utility vehicles (House, No. 3036);

Relative to motorcycle inspections (House, No. 3055);

Relative to mandatory sentences for those committing an assault on a law enforcement officer (House, No. 3239); and

Relative to the definition of autism in the childrens [sic] autism Medicaid waiver (House, No. 4075); and

The House Resolve providing for an investigation and study by a special commission relative to Aphasia (House, No. 3455);

Severally were read a second time; and they were ordered to a third reading.

*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 twenty-nine minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

# JOURNAL OF THE HOUSE.

---

Tuesday, May 27, 2014.

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.

## *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, 4th grade students from the Mary Stapleton School in Framingham. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Sannicandro of Ashland. Framingham,—  
Mary  
Stapleton  
School.

## *Resolutions.*

Resolutions (filed with the Clerk by Mr. Smizik of Brookline) congratulating the third grade students at the Edward Devotion School in Brookline on their participation in the school's thirtieth annual JFK essay and poetry program entitled "What John F. Kennedy Means To Me", were referred, under Rule 85, to the committee on Rules. Brookline,—  
Edward  
Devotion  
School.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Smizik, 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 Mr. Kocot of Northampton) 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 State Administration and Regulatory Oversight be granted until Thursday, May 29, 2014, within which to make its final report on current House document numbered 3917. State  
Administration  
and Regulatory  
Oversight  
committee,—  
extension  
of time for  
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kocot, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Kocot of Northampton) 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 State Administration and Regulatory Oversight be granted until Wednesday, June 25, 2014, within which to make its final report on current House document numbered 4051. Id.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kocot, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

*Papers from the Senate.*

Quincy  
College.

The House Bill relative to Quincy College (House, No. 3814, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2153.

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

Anne Marie  
McDonough,—  
sick leave.

The House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court (House, No. 4056), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 2 by inserting after the word "employee" the words "of the Dorchester division on the Boston municipal court department".

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

Alexis  
Baez,—  
sick leave.

A Bill establishing a sick leave bank for Alexis Baez, an employee of the Department of Mental Health (Senate, No. 2154) (on Senate bill No. 2088), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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; and it was ordered to a third reading.

**Bills**

Route 116  
scenic byway.

Relative to the state highway Route 116 scenic byway (Senate, No. 1656) (on a petition); and

North Adams,—  
finances.

Relative to the financial condition of the city of North Adams (Senate, No. 2089) (on a petition) [Local Approval Received];

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.

Kyle  
Melvin,—  
sick leave.

A petition (accompanied by bill) of John F. Keenan and Bruce J. Ayers for legislation to establish a sick leave bank for Kyle Melvin, 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. 2155) was referred, in concurrence, to the committee on Public Service.

*Reports of Committees.*

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 3907),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Minors,—  
gender  
identity.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham (Senate, No. 2124), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petersham,—  
land.

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

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith; and was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill granting, updating, and revising defense policies of the Commonwealth (printed in House, No. 3868), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4109). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Defense  
policies.

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

Under suspension of said rule, 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 modernizing the banking laws and enhancing the competitiveness of state-chartered banks (House, No. 3881), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4110). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Banking,—  
modernize.

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

Under suspension of said rule, 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 relative to the expansion of the Boston Convention and Exhibition Center (House, No. 3952), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4111) [Mr. Diehl of Whitman dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State

Boston  
Convention  
and  
Exhibition  
Center.

Boston  
Convention  
and  
Exhibition  
Center.

Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4059),— and the amendment recommended by the committee on Ways and Means, pending.

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

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4111) was ordered to a third reading.

Credit Union  
Share  
Insurance  
Corporation.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 4025), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4112). 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 recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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.

Holyoke,—  
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4033), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4113). 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 recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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.

Deer hunting,—  
Sundays.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the use of bow and arrows for Sunday deer hunting (House, No. 4074), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4114). 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 recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth (House, No. 4009), ought to pass with an amendment by substituting therefor a bill with the same title (House, No. 4119) [Bond Issue: General Obligation Bonds: \$1,655,625,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Environmental  
bond bill.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill establishing an independent office of quality assurance for developmentally disabled persons (House, No. 152, changed in lines 1 to 8, inclusive, by striking out the text contained in those lines and inserting in place thereof the following: "The General Laws, as so appearing in the Official Edition of 2012, are hereby amended by inserting after chapter 19D the following chapter:— chapter 19E").

Quality  
assurance  
office,—  
creation.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill requiring carbon monoxide alarms in all residential, governmental and commercial structures (House, No. 2124).

Carbon  
monoxide  
alarms.

By the same member, for the same committee, on a petition, a Bill relative to fire protection systems for buildings and structures (House, No. 2153).

Fire  
protection  
systems.

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill amending the periodic inspections of elevators and lifts (House, No. 2163, changed in line 3 by inserting after the word "feet," the words "not including material lifts").

Elevators,—  
inspection.

By the same member, for the same committee, on a petition, a Bill requiring microphones and audio-recorders on tasers (House, No. 3315, changed by adding the following section:

Tasers,—  
microphones  
and audio-  
recorders.

"SECTION 2. Subsection D of section 99 of chapter 272 of the General Laws is hereby amended by inserting, after paragraph 1 (f), the following paragraph:

(g) for a law enforcement officer, acting in the performance of his or her official duties, while clearly identified as a law enforcement officer to violate the provisions of this section. Notwithstanding this provision, law enforcement officers may not record inside a person's residence.").

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill clarifying participation in athletic safety programs (House, No. 1982), be scheduled for consideration by the

Athletic  
safety  
programs.

Athletic safety programs.

House, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4097),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Ataxia.

The Senate Bill establishing Ataxia Awareness Day (Senate, No. 2007); and  
House bills

Endangerment.

Relative to reckless endangerment of persons with disabilities (House, No. 122);

Bank fees.

Waiving bank fees for the disabled (House, No. 961);

Breast surgery.

Relative to patient access to information regarding breast reconstructive surgery (House, No. 1959);

Head injuries.

Relative to physician assistants and interscholastic athletic head injuries (House, No. 1983);

Hospital beds.

To eliminate antiquated hospital bed de-licensure rules (House, No. 2050);

Idling.

To exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 3150);

Compartments.

Relative to hidden compartments (House, No. 3240); and

Weapons.

Relative to dangerous weapons (House, No. 3258);

Severally placed in the Orders of the Day for the next sitting for a second reading.

#### *Emergency Measure.*

Supplemental appropriations.

The engrossed Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4081, 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.

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 5 to 0. Sent to the Senate for concurrence.

#### *Engrossed Bill.*

Bill enacted.

The engrossed Bill relative to the town of Dennis Barrier Beach protection stabilization fund (see House, No. 3630) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

#### *Orders of the Day.*

Grafton,—land.

The Senate amendments of the House Bill authorizing the Department of Fish and Game to exchange a parcel of land in the town of Grafton in return for the conveyance of other property in the same town

(House, No. 3775, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Senate bills

Authorizing the town of Milton to assess an additional amount of real estate and personal property taxes (Senate, No. 1872); Third reading bill.

Authorizing the city of Northampton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 1962, amended); and

Amending the charter of the city known as the town of Greenfield (Senate, No. 2103);

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, in concurrence.

The House Bill authorizing the city of Holyoke to issue additional licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (House, No. 4048) (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; and passed to be engrossed. Sent to the Senate for concurrence. Third reading bill.

---

The House Bill authorizing the lease of air rights over a portion of a municipal off-street parking area in the town of Brookline (House, No. 3863) (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. Brookline,—air rights.

Pending the question on passing the bill to be engrossed, Mr. Smizik of Brookline moved to amend it by substitution of a bill with the same title (House, No. 4120), which was read.

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

*Recess.*

At a quarter before twelve o'clock noon, on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before one o'clock P.M.; and at thirteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair. Recess.

*Petition.*

Mr. DeLeo of Winthrop presented a petition (subject to Joint Rule 12) of Robert A. DeLeo and others for legislation relative to the reduction of gun violence; and the same was referred, under Rule 24, to the committee on Rules. Gun violence.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. DeLeo of Winthrop, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. 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 tomorrow at eleven o'clock A.M.

---

At a quarter after one o'clock P.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

# JOURNAL OF THE HOUSE.

---

Wednesday, May 28, 2014.

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).

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.

## *Guests of the House.*

During the session, Mr. O'Day of West Boylston took the Chair, declared a brief recess, and introduced the Burncoat High School Choir of Worcester. Led by choir director, Dave Twiss, the choir performed the National Anthem and "MLK". They were the guests of Mr. O'Day. Burncoat High School Choir.

## *Annual Report.*

The annual report of the Massachusetts Advisory Council on Organ and Tissue Transplants and Donations (under Section 15 of Chapter 17 of the General Laws) submitting its "Year One Final Report" for the calendar year 2013, was placed on file. Organ and tissue donations.

## *Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Straus of Mattapoissett, a petition (accompanied by bill, House, No. 4127) of William M. Straus (by vote of the town) that the town of Fairhaven be authorized to establish a per acre shellfish aquacultural license fee in said town. To the committee on Environment, Natural Resources and Agriculture. Fairhaven,—aquacultural licenses.

By the same member, a petition (accompanied by bill, House, No. 4128) of William M. Straus (by vote of the town) that the town of Fairhaven be authorized to restructure the board of public works of said town; and Fairhaven,—public works.

By the same member, a petition (accompanied by bill, House, No. 4129) of William M. Straus (by vote of the town) that the town of Fairhaven be authorized to establish the position of town administrator in said town; Fairhaven,—town administrator.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

## *Papers from the Senate.*

A Bill directing the city of Boston Police Department to waive the maximum age requirement for police officer Edward Grace (Senate, No. 2002) (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. Boston,—Edward Grace.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Asset  
recovery.

Petition (accompanied by bill, Senate, No. 2158) of Bruce E. Tarr, Robert L. Hedlund, Donald F. Humason, Jr., Richard J. Ross and others for legislation to recover assets used in the commission of sexual offenses. To the committee on Consumer Protection and Professional Licensure.

Pesticide  
applications.

Petition (accompanied by bill, Senate, No. 2159) of Bruce E. Tarr for legislation relative to pesticide applications. To the committee on Environment, Natural Resources and Agriculture.

Municipal  
expenditures.

Petition (accompanied by bill, Senate, No. 2161) of Bruce E. Tarr, James R. Miceli, Matthew A. Beaton, Shawn Dooley and other members of the General Court for legislation relative to the expenditure of certain municipal and district monies.

Capital  
projects  
fund.

Petition (accompanied by bill, Senate, No. 2162) of Bruce E. Tarr, James R. Miceli, Matthew A. Beaton, Shawn Dooley and other members of the General Court for legislation to increase the amount that can be appropriated from the balance of a capital project fund.

Severally to the committee on Municipalities and Regional Government.

Reimbursement  
equity.

Petition (accompanied by bill, Senate, No. 2163) of Bruce E. Tarr, Robert L. Hedlund, Donald F. Humason, Jr., Richard J. Ross and other members of the General Court for legislation to ensure compliance and equity in state reimbursement. To the committee on State Administration and Regulatory Oversight.

#### *Reports of Committees.*

Seniors,—  
flu shots.

Report of the committee on Public Health, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4044) of Mark J. Cusack relative to immunizations against the influenza virus to all inpatients 65 years of age and older.

Under suspension of the rules, on a motion of Mr. Cusack of Braintree, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Sánchez of Boston.

North Adams,—  
finances.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the financial condition of the city of North Adams (Senate, No. 2089) [Local Approval Received], 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; and it was ordered to a third reading.

Prisoners,—  
mental  
illness.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on House, No. 1189, a Bill relative to the treatment of mentally ill in prisons (House, No. 4122). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Juveniles,—  
petitions.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill relative to special juveniles (House, No. 1414).

Court  
clerks.

By the same member, for the same committee, on a petition, a Bill relative to the clerks of courts (House, No. 3747).

By the same member, for the same committee, on House, No. 1674, a Bill to require national background checks (House, No. 4125). Background checks.

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

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill to designate the courthouse in the Roxbury section of the city of Boston as the Edward O. Gourdin Courthouse (House, No. 1324). Roxbury,—Gourdin courthouse.

By the same member, for the same committee, on a petition, a Bill relative to advertising by a justice of the peace (House, No. 1362). Justices of the peace.

By the same member, for the same committee, on House, No. 1211, a Bill relative to certain judicial procedures (House, No. 4123). Judicial procedures.

By the same member, for the same committee, on House, No. 1425, a Bill designating the Essex Probate and Family Court as the Thaddeus Buczko Building (House, No. 4124). Thaddeus Buczko Court.

By the same member, for the same committee, on Senate, No. 633 and House, No. 1455, a Bill extending the statute of limitations in civil child sexual abuse cases (House, No. 4126). Children,—sexual abuse cases.

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

*Recess.*

At a seven minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-two minutes after one o'clock the House was called to order with Mr. Donato in the Chair. Recess.

*Engrossed Bill.*

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4081, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage. Supplemental appropriations.

After remarks on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 122 members voted in the affirmative and 29 in the negative. Bill enacted,—yea and nay No. 379.

**[See Yea and Nay No. 379 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Emergency Measure.*

The engrossed Bill authorizing the Department of Fish and Game to acquire certain parcels of land in the town of Grafton from the Grafton Water District (see House, No. 3775, amended) (which originated in the House), 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. Grafton,—land.

Grafton,—  
land.

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 57 to 0. Sent to the Senate for concurrence.

*Engrossed Bills.*

Engrossed bills

Bills  
enacted.

Authorizing the town of Milton to assess an additional amount of real estate and personal property taxes (see Senate, No. 1872);

Authorizing the city of Northampton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 1962, amended); and

Amending the charter of the city known as the town of Greenfield (see Senate, No. 2103);

(Which severally originated in the Senate);

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.

*Motion to Discharge a Certain Matter  
in the Orders of the Day.*

Boston  
Convention  
and  
Exhibition  
Center.

The House Bill relative to the expansion of the Boston Convention and Exhibition Center (House, No. 4111), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Kocot of Northampton.

After debate on the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it in section 10, in lines 254 to 289, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(c) Notwithstanding any general or special law to the contrary, no awarding authority shall require or prohibit bidders, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or related projects, or discriminate against bidders, contractors, subcontractors, or operators for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations, on the same or other related public works projects.”

The amendment was rejected.

Bill passed to  
be engrossed,—  
yea and nay  
No. 380.

On the question on passing the bill to be engrossed, the sense of the House taken by yeas and nays, at the request of Mr. Kocot of Northampton; and on the roll call 131 members voted in the affirmative and 19 in the negative.

**[See Yea and Nay No. 380 in Supplement.]**

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

*Orders of the Day.*

Third  
Reading  
bill.

The Senate Bill relative to the disability retirement of Woburn police officer Robert DeNapoli (Senate, No. 2134), 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.

The House Bill establishing a sick leave for Marcy L. Bray, an employee of the Massachusetts Department of Developmental Services (House, No. 4041), 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. Sent to the Senate for concurrence.

Third Reading bill.

The Senate Bill establishing Ataxia awareness day (Senate, No. 2007); and House bills  
 Relative to reckless endangerment of persons with disabilities (House, No. 122);  
 Relative to patient access to information regarding breast reconstructive surgery (House, No. 1959);  
 Relative to physician assistants and interscholastic athletic head injuries (House, No. 1983);  
 To eliminate antiquated hospital bed de-licensure rules (House, No. 2050); and  
 Relative to dangerous weapons (House, No. 3258);  
 Severally were read a second time; and they were ordered to a third reading.

Second reading bills.

The Senate Bill designating June 14 as the birthday of the United States Army and June 9 as General Sylvanus Thayer Day (Senate, No. 1963), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time.

General Thayer Day.

Pending the question on passing the bill to be engrossed, Mr. Cusack of Braintree 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 day in June honoring General Sylvanus Thayer and the formation of the United States Army, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (see Senate, No. 1963, amended) was sent to the Senate for concurrence in the amendment.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*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 three o’clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.

## JOURNAL OF THE HOUSE.

---

Thursday, May 29, 2014.

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).

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.

### *Resolutions.*

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

Charles E.  
Gobron.

Resolutions (filed by Representatives Dykema of Holliston, Gregoire of Marlborough, Linsky of Natick and Naughton of Clinton) congratulating Dr. Charles E. Gobron on his retirement from his position as Superintendent of the Northborough-Southborough School District;

Robert  
Marshall.

Resolutions (filed by Mr. Keenan of Salem) honoring the memory of Robert 'Bongo' Marshall on the occasion of the dedication of the Essex County Regional Support Services Building; and

Gateway  
Regional  
School  
District.

Resolutions (filed by Mr. Kulik of Worthington) congratulating the Gateway Regional School District on its fiftieth anniversary;

Mr. Binienda of Worcester, 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. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Petitions.*

Fairhaven,—  
medical  
marijuana.

Mr. Straus of Mattapoisett presented a petition (accompanied by bill, House, No. 4130) of William M. Straus (by vote of the town) that the town of Fairhaven be authorized to establish a local sales tax on the sale of medical marijuana in said town; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Andrea  
Thomas,—  
sick leave.

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli and Barry R. Finegold for legislation to establish a sick leave bank for Andrea Thomas, an employee of the Division of Capital Asset Management and Maintenance; and the same was referred, under Rule 24, to the committee on Rules.

### *Paper from the Senate.*

General  
Appropriation  
Bill.

The House Bill making appropriations for the fiscal year 2015 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4001), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting

clause and inserting in place thereof the text contained in Senate document numbered 2160.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Dempsey, Kulik of Worthington and deMacedo of Plymouth were appointed the committee on the part of the House. Sent to the Senate to be joined. Committee of conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Brewer, Flanagan and Ross had been joined as the committee on the part of the Senate. Id.

### *Reports of Committees.*

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, No. 836, a Bill requiring mental health parity for disability policies (House, No. 4131). Referred, under Joint Rule 1E, to the committee on Health Care Financing. Mental health parity.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 1104 and 1141, a Bill relative to affordable housing for veterans (House, No. 1104). Veterans,—housing.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on House, No. 38 and on a part of House, No. 26, a Bill relative to the Uniform Electronic Legal Material Act (House, No. 38). Uniform Electronic Legal Material Act.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 3840, a Bill relative to job creation in life sciences research and development (House, No. 4133). Life science research and development.

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

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill relative to penalties for shoplifting (printed as Senate, No. 625). Shoplifting,—penalties.

By the same member, for the same committee, on a petition, a Bill relating to assault and battery on public employees (printed as Senate, No. 718). Assault.

By the same member, for the same committee, on a petition, a Bill removing the requirement to provide notice to the Department of Mental Health of a license granted to a guardian to sell real estate (printed as Senate, No. 750). Guardians,—notices.

By the same member, for the same committee, on a petition, a Bill protecting engineers, architects, environmental professionals, landscape architects, planners, land surveyors, licensed site professionals, and contractors who render voluntary services at the scene of a disaster or catastrophe (printed as Senate, No. 795). Volunteers,—disasters.

By the same member, for the same committee, on Senate, No. 631, a Bill decriminalizing non-violent and verbal student misconduct (House, No. 4132). Student misconduct.

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

*Emergency Measure.*

General  
Sylvanus  
Thayer  
Day.

The engrossed Bill designating June 14 as the birthday of the United States Army and June 9 as General Sylvanus Thayer Day (see Senate, No. 1963), 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 3 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Engrossed Bill.*

Id.

The engrossed Bill relative to the disability retirement of Woburn police officer Robert DeNapoli (see Senate, No. 2134) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Anne Marie  
McDonough,—  
sick leave.

The Senate amendment of the House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court (House, No. 4056), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

## Senate bills

Third  
reading  
bills.

Authorizing the Division of Capital Asset Management and Maintenance to convey certain property at Northampton State Hospital (Senate, No. 2006); and

Relative to the board of health in the city of Worcester (Senate, No. 2065);

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, in concurrence.

Third  
reading  
bill.

The House Bill designating PANDAS/PANS Awareness Day (House, No. 2882), 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. 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 on Monday next at eleven o'clock A.M.

---

THURSDAY, MAY 29, 2014.

1423

At twenty-one minutes before twelve o'clock noon, on motion of Mr. Barrows of Mansfield (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.