

# JOURNAL OF THE HOUSE.

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Monday, January 27, 2014.

Met at eight minutes after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

### *Message from the Governor.*

A message from His Excellency the Governor recommending legislation providing the terms of certain bonds financing the production and preservation of housing for low and moderate income citizens (House, No. 3880), was filed in the office of the Clerk on Thursday, January 23. Housing bond.— terms.

The message was read; and it was referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets. Sent to the Senate for concurrence.

### *Resolutions.*

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

Resolutions (filed by Mr. Calter of Kingston) congratulating Timothy P. Cook on receiving the Eagle Award of the Boy Scouts of America; Timothy P. Cook.

Resolutions (filed by Mr. Calter of Kingston) congratulating Shawn M. McFarland on receiving the Eagle Award of the Boy Scouts of America; Shawn M. McFarland.

Resolutions (filed by Ms. Garlick of Needham) congratulating Jake W. Lester on receiving the Eagle Award of the Boy Scouts of America; Jake W. Lester.

Resolutions (filed by Ms. Garlick of Needham) congratulating Eric S. Lundstrom on receiving the Eagle Award of the Boy Scouts of America; Eric S. Lundstrom.

Resolutions (filed by Ms. Garlick of Needham) congratulating Benjamin J. Wilson on receiving the Eagle Award of the Boy Scouts of America; Benjamin J. Wilson.

Resolutions (filed by Representatives Poirier of North Attleborough and Heroux of Attleboro) on the occasion of the observance of National Catholic Schools Week by Bishop Feehan School in Attleboro; Catholic Schools Week.

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by St. John the Evangelist School in Attleboro; Id.

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) on the occasion of the observance of National Catholic Schools Week by St. Mary's School in Mansfield; and Id.

Catholic Schools Week.

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by St. Mary's/Sacred Heart School in North Attleborough;

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.

*Communication.*

Emergency assistance program.

A communication from the Executive Office of Housing and Economic Development (pursuant to line item 7004-0101 in Section 2 Chapter 38 of the Acts of 2013) submitting proposed amendments and regulatory changes which alter eligibility or level of benefits under the emergency assistance program, was placed on file.

*Annual Report.*

Grandparents.

The annual report of the Commission on the Status of Grandparents Raising Grandchildren (pursuant to Section 69(h) of Chapter 3 of the General Laws) for the calendar year 2013, was placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

Taunton,—alcoholic beverages.

By Representative O'Connell of Taunton and Senator Pacheco (by request), a 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. To the committee on Consumer Protection and Professional Licensure.

Springfield,—special fund.

By Mr. Swan of Springfield (by request), a petition (accompanied by bill, House, No. 3875) of Domenic J. Sarno and Wayman Lee (with the approval of the mayor and city council) that the city of Springfield be authorized to eliminate a special reserve fund for extraordinary expenditures. To the committee on Municipalities and Regional Government.

Conway,—Robert Baker and Ronald Hawkes.

By Representative Kulik of Worthington and Senator Downing, a joint petition (accompanied by bill, House, No. 3876) of Stephen Kulik and Benjamin B. Downing (by vote of the town) that Robert Baker be authorized to serve on the fire department and that Ronald Hawkes be authorized to serve on the fire and police departments of the town of Conway. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Marycatherin Paniss,—sick leave.

By Representative Andrews of Orange and Senator Brewer, a joint petition (subject to Joint Rule 12) of Denise Andrews and Stephen M. Brewer for legislation to establish a sick leave bank for Marycatherin Paniss, an employee of the Department of Correction.

Tracy Longvall-Rivera,—sick leave.

By Mrs. Ferguson of Holden, a petition (subject to Joint Rule 12) of Kimberly N. Ferguson for legislation to establish a sick leave bank for Tracy Longvall-Rivera, an employee of the Department of Youth Services.

By Mr. Mark of Peru, a petition (subject to Joint Rule 12) of Paul W. Mark relative to exempting municipalities from the annual compliance assurance fee. Municipalities,—  
assurance fees.

By Mr. McMurtry of Dedham, a petition (subject to Joint Rule 12) of Paul McMurtry and others for legislation to expand the hours of motor vehicle operation for junior operators. Junior  
operators.

By Mr. Smizik of Brookline, a petition (subject to Joint Rule 12) of Frank I. Smizik relative to electricity net metering. Net  
metering.

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

*Papers from the Senate.*

The House Bill relative to election laws (House, No. 3788), 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 1981. Election  
laws.

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, 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. Representatives Murphy of Weymouth, Moran of Boston and Frost of Auburn were appointed the committee on the part of the House. Sent to the Senate to be joined. Conference  
committee.

A Bill clearing titles to foreclosed properties (Senate, No. 1987) (on Senate, No. 1953), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means. Foreclosed  
properties.

A report of the Department of Elementary and Secondary Education (under the provisions of Section 11 of Chapter 222 of the Acts of 2012) submitting a report relative to the cost of implanting the student discipline law, was spread upon the records of the House; and returned to the Senate. Student  
discipline  
law.

*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 Louis L. Kafka and James E. Timilty relative to benefits for court officers and county sheriff office employees; and Court  
officers, etc.

Petition (accompanied by bill) of Louis L. Kafka and James E. Timilty for legislation to authorize Paul Scott Noe, an employee of the Trial Court, to transfer his vacation benefits accrued during his time in the Norfolk County Sheriff's Department; Paul Scott  
Noe,—  
benefits.

Severally to the committee on the Judiciary.

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

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, No. 237, a Bill relative to streamlining home improvement contractor registration (House, No. 3871). Home  
improvement  
contractors.

Farmers'  
markets.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to farmers' markets (House, No. 759, changed in section 1, in lines 1 and 2, by striking out the following: "2006 official edition" and inserting in place thereof the following: "2012 Official Edition", in said section, in line 4, in section 3, in line 15 and in section 4, in line 18 by striking out the word "by" and inserting in place thereof the word "under", in section 1, in line 4, by striking out the word "further", in said section, in line 5 by inserting after the word "such" the word "propagation"; and in section 4, in line 17, by striking out the words "named on the").

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

*Orders of the Day.*

Westborough,—  
liquor  
license.

The Senate amendment of the House Bill authorizing the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3471, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Third  
reading  
bill.

The Senate Bill establishing a sick leave bank for Maria A. DeCoste, an employee of the Department of Transitional Assistance (Senate, No. 1983), 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.

House bills

Third  
reading  
bills.

Authorizing the town of Wellesley to grant six licenses for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3866); and

Authorizing the town of Stoneham to grant five additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3786) (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.

*Emergency Measure.*

Katrina  
Aliengena,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Katrina Aliengena, an employee of the Department of Developmental Services (see Senate, No. 1960, 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.

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 Bills.*

Engrossed bills

Amending the charter of the town of Sandwich (see Senate, No. 1884) (which originated in the Senate); and Bill enacted.

Authorizing the town of Wellesley to grant six licenses for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3866) (which 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.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at a half past six o'clock P.M. Next sitting.

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At eleven minutes before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at a half past six o'clock P.M., in an Informal Session.