

JOURNAL OF THE HOUSE.

Tuesday, April 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).

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:

Stanley B.
Cohen.

Resolutions (filed by Mr. Linsky of Natick) congratulating Stanley B. Cohen on the occasion of his ninetieth birthday;

Justin W.
Hui.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Justin W. Hui on receiving the Eagle Award of the Boy Scouts of America; and

Jacob E.
Powell.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Jacob E. Powell 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. 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.

Papers from the Senate.

Natural gas
leaks.

The House Bill relative to natural gas leaks (House, No. 3873, amended), came from the Senate with the endorsement that said branch had insisted on its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2095) (in which the House had non-concurred).

Committee of
conference.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Downing, Finegold and Humason had been joined as the committee on the part of the Senate.

Labor and
Workforce
Development,—
extension of
time for
reporting.

The House Order relative to extending until Thursday, July 31 the time within which the committee on Labor and Workforce Development is authorized to report on current Senate documents numbered 150, 846, 852, 862, 864, 870, 875, 878, 879, 883, 886, 895, 900, and 901, and House documents numbered 1695, 1701, 1707, 1711, 1715, 1718, 1729, 1732, 1734, 1736, 1738, 1739, 1740, 1747, 1749, 1751, 1756, 1757, 1765, 1769, 1770, 1772, 1773, 1775, 1778, 3296, and 3313, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date "July 31" and inserting in place thereof the date "May, 1".

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, the amendment was considered forthwith; and it was adopted, in concurrence.

The House Order relative to extending until Wednesday, April 16, 2014 the time within which the committee on Municipalities and Regional Government is authorized to report on current Senate document numbered 947 and current House document numbered 1882, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date "Wednesday, April 16" and inserting in place thereof the date "Friday, May 2".

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

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, the amendment was considered forthwith; and it was adopted, in concurrence.

The Senate Bill to prevent shackling and promote safe pregnancies for female inmates (Senate, No. 2063, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3987) with further amendments striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2104; and inserting before the enacting clause the following emergency preamble:

Female inmates,—shackling.

"Whereas, The deferred operation of this act would tend to defeat its purpose which is to promote forthwith safe pregnancies among female inmates in correctional facilities, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.")

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

The House Bill authorizing the town of Dennis to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3614), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 19, striking out the following: "sections 12 and 17" and inserting in place thereof the following: "section 12"; and, in line 28, after the word "revenue", inserting the words "and a letter from the divisions of unemployment assistance".

Dennis,—liquor licenses.

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

The House Bill relative to the withdrawal of the town of Worthington from the Gateway Regional School District (House, No. 3815), 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 2110.

Worthington,—Gateway Regional School District.

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

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

Bills

Hazardous materials.

Relative to hazardous materials response (Senate, No. 2105) (on Senate bill No. 1180); and

Line of duty death benefits.

Relative to line of duty death benefits (Senate, No. 2106) (on Senate bill No. 1299);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Historic roadways,—preservation.

A petition of Stephen M. Brewer and Todd M. Smola for legislation to establish a special commission to identify, preserve and commemorate historic roadways in Massachusetts, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2112) was referred, in concurrence, to the committee on Transportation.

Public Health committee,—extension of time for reporting.

The Senate Order relative to granting the committee on Public Health until Tuesday, May 20, 2014 within which to make its final report on Senate document numbered 1031, relative to the Massachusetts medical marijuana program (Senate, No. 2058) (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 Kafka of Stoughton; and it was adopted, in concurrence.

Id.

The Senate Order relative to granting the committee on Public Health until Tuesday, May 20, 2014 within which to make its final report on Senate document numbered 1079, relative to quality health care (Senate, No. 2059) (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 Kafka of Stoughton; and it was adopted, in concurrence.

Recess.

Recess.

At eighteen 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 the hour of twelve o'clock noon; and at eight minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Anne Marie McDonough,—sick leave.

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 Nick Collins for legislation to establish a sick leave bank for Anne Marie McDonough, an employee of the Trial Court. 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.

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

To allow certain store and shops to open on holidays (House, No. 163); Store hours.

Designating fluffernutter as the official sandwich of the Commonwealth (House, No. 2868); Fluffernutter.

Making amendments to the Massachusetts Business Corporation Act (House, No. 2878); Business corporations.

Relative to environmental performance standards for plumbing fixtures (House, No. 4007); and Plumbing fixtures.

Relative to the regional school transportation reimbursement fund (House, No. 4019); School transportation.

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

Report of the committee on Revenue, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3943) of Cleon H. Turner, Kate Hogan and others relative to a sales tax exemption for the sale of used books and other items sold by libraries for fundraising purposes. Used books,—
sales tax.

Under suspension of the rules, on a motion of Mr. Kafka of Stoughton, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Kaufman of Lexington.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Westborough (House, No. 3979). Read; and referred, under Rule 33, to the committee on Ways and Means. Westborough,—
land.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, No. 3948, a Bill authorizing the town of Danvers to grant up to six (6) additional licenses for the sale of alcoholic beverages (House, No. 4052) [Local Approval Received]. Danvers,—
liquor
licenses.

By the same member, for the same committee, on House, No. 3949, a Bill authorizing the city of Peabody to grant ten additional all alcoholic beverages licenses (House, No. 4053) [Local Approval Received]. Peabody,—
liquor
licenses.

By the same member, for the same committee, on House, No. 3980, a Bill authorizing the city of New Bedford to issue an additional license to Irmandade do Divino do Espirito Santo do Pico, Inc. for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4054) [Local Approval Received]. New Bedford,—
liquor
license.

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

Engrossed Bills.

Engrossed bills

Bills
enacted.

Establishing a sick leave bank for Maria Elaskar-Stack, an employee of the Department of Children and Families (see Senate, No. 2087) (which originated in the Senate); and

Relative to establishing a sick leave bank for Carmen Mahone, an employee of the Trial Court (see House, No. 3981, amended) (which 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.

Bill
enacted.

The engrossed Bill authorizing the West Barnstable Fire District to fund library services for the Whelden Memorial Library (see House, No. 3648) (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.

Essex
Aggie.

The engrossed Bill relative to the Essex North Shore Agricultural and technical School District (see House, No. 3959) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered.

Rule 40
suspended.

Pending the question on passing the bill to be enacted, Mr. Speliotis of Danvers moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill by adding the following section:

“SECTION 3. This act shall take effect upon its passage.”

The amendment was adopted; and the bill (see House, No. 3959, amended) was sent to the Senate for concurrence in the amendment.

*Motion to Reconsider.*Workers'
compensation
audits.

Mr. Peterson of Grafton asked that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill providing incentives for productive workers compensation audits (House, No. 1771).

The motion to reconsider was placed, under Rule 54, in the Orders of the Day for the next sitting.

*Orders of the Day.*Third
reading
bill.

The Senate Bill establishing a sick leave bank for Alexander Rodriguez, an employee of the Trial Court (Senate, No. 1968), 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 rejected.

The House Bill relative to adult foster care (House, No. 3426) was read a third time.

The committee on Bills in the Third Reading reported, asking to be discharged from further consideration of the bill; and the report was accepted.

The House then refused to pass the bill to be engrossed. Mr. Speliotis of Danvers then asked that the vote be reconsidered and, there being no objection, the motion to consider was considered forthwith; and it was negatived.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At twenty-four minutes after twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.