

# JOURNAL OF THE HOUSE.

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Wednesday, May 1, 2013.

Met at six minutes after 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.

## *Special Communications.*

The Speaker being in the Chair,—

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

Returns of  
votes for  
Representative  
in the  
Twelfth Essex  
District.

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

May 1, 2013.

*To the Honorable House of Representatives:*

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the second day of April, 2013, for Representative in the General Court, 12th Essex 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.

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

Returns of  
votes for  
Representative  
in the  
Twenty-eighth  
Middlesex  
District.

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

May 1, 2013.

*To the Honorable House of Representatives:*

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the second day of April, 2013, for Representative in the General Court, 28th Middlesex

Returns of  
votes for  
Representative  
in the  
Twenty-eighth  
Middlesex  
District.

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 Mr. McMurtry of Dedham,—

*Ordered,* That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representatives-elect Leah Cole of the Twelfth Essex District and Wayne A. Matewsky of the Twenty-eighth Middlesex District are assembled in the Chamber of the House of Representatives and are ready to take the oaths and affirmations of qualification.

The Speaker then appointed Representatives Donato of Medford, Speliotis of Danvers, Ashe of Longmeadow, Vega of Holyoke, Roy of Franklin, Orrall of Lakeville, Cusack of Braintree, Naughton of Clinton, Wong of Saugus, Hunt of Sandwich, Vieira of Falmouth and Gifford of Wareham as the special committee of the House.

Subsequently Mrs. Haddad of Somerset, 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.

*Members Qualified.*

Soon afterward His Excellency the Governor, Deval L. Patrick, accompanied by Lieutenant Governor Timothy P. Murray, 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 the members-elect then present, and were subscribed by them; after which His Excellency declared that the members were duly qualified to enter upon the discharge of their duties.

His Excellency the Governor, Lieutenant Governor Timothy P. Murray, Auditor Suzanne M. Bump and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

After brief remarks by both newly qualified members, the Speaker assigned Ms. Cole to Seat No. 76 and Mr. Matewsky to Seat No. 37.

*Resolutions.*

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

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield, Howitt of Seekonk, Winslow of Norfolk and Heroux of Attleboro) honoring the Sturdy Memorial Hospital on its one hundredth anniversary;

Governor  
notified.

Representatives  
Leah Cole of  
Peabody and  
Wayne A.  
Matewsky of  
Everett,—  
qualification.

Sturdy  
Memorial  
Hospital.

Resolutions (filed by Mr. Fernandes of Milford) congratulating the Evergreen Center in the town of Milford on the thirtieth anniversary of its founding; Milford,—  
Evergreen  
Center.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Sullivan Patrick Gassmann of Sharon Boy Scout Troop 95 on earning the Eagle Scout Award; and Sullivan  
Patrick  
Gassmann.

Resolutions (filed by Mr. Parisella of Beverly) commending members of the Beverly Fire Department for their historic actions during the Boston Marathon attack; Beverly Fire  
Department.

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

*Annual Report.*

The annual report of the Department of Telecommunications and Cable (under the provisions of Section 2 of Chapter 166A of the General Laws) relative to appeals that came before said department for calendar year 2012 [copies were forwarded to the joint committee on energy and the House committee on Ways and Means, as required by said law], was placed on file. Cable  
appeals.

*Communication.*

A communication from the Department of Department of Telecommunications and Cable (under Section 6 of Chapter 25C of the General Laws) submitting the annual report of said department for the fiscal year 2012, was placed on file. Telecommu-  
nications and  
Cable.

*Petitions.*

Mr. Zlotnik of Gardner presented a petition (accompanied by bill, House, No. 3445) of Jonathan Zlotnik and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to property tax exemptions by certain veteran organizations in the city of Gardner; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence. Gardner,—  
tax  
exemptions.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley and others providing for an investigation and study by a special commission (including members of the General Court) relative to aphasia. Aphasia,—  
commission.

By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins relative to abandoned vessels on certain state property. Abandoned  
vessels.

By Ms. Decker of Cambridge, a petition (subject to Joint Rule 12) of Marjorie C. Decker relative to retirement benefits of high voltage electricians employed by the Massachusetts Department of Transportation. MassDOT,—  
retirement.

By Mrs. Ferguson of Holden (by request), a petition (subject to Joint Rule 12) of David Lundergan relative to reducing public school class sizes. Classroom  
size.

Official  
revolver.

By Mrs. Ferguson of Holden (by request), a petition (subject to Joint Rule 12) of James A Fournier for legislation to designate the Smith & Wesson .500 magnum revolver as the official revolver of the Commonwealth.

Linda  
Barlow,—  
sick leave.

By Representative Haddad of Somerset and Senator Rodrigues, a joint petition (subject to Joint Rule 12) of Patricia A. Haddad and Michael J. Rodrigues for legislation to establish a sick leave bank for Linda Barlow, an employee of the Department of Mental Health.

Municipalities,—  
violence  
reduction.

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux and others for legislation to establish and award grants for the reduction of violence in municipalities.

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

#### *Reports of Committees.*

National  
Guard,—  
life insurance  
premiums.

By Mr. Basile of Boston, for the committee on Veterans and Federal Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3198) of Harold P. Naughton, Jr., for legislation to reimburse members of the Massachusetts National Guard for monthly life insurance premiums,— and recommending that the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Mattapoisett,—  
health  
insurance.

Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to contributory health insurance in the town of Mattapoisett (House, No 2445, changed) [Local Approval Received] ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Marie  
Alito,—  
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Marie Alito (House, No. 3440).

Carmen  
Berry,—  
sick leave.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Carmen Berry, an employee of the Department of Children and Families (House, No. 3443).

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

#### *Emergency Measure.*

John  
Gustavis,—  
sick leave.

The engrossed Bill establishing a sick leave bank for John Gustavis, an employee of the Hampshire Sheriff's Office (see House, No. 3417), 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 10 to 0. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. Donato of Medford,—

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

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Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-three minutes before one o'clock P.M., on motion of Mr. Naughton of Clinton (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.