

# JOURNAL OF THE HOUSE.

Monday, June 24, 2013.

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.

### *Guests of the House.*

Sharon Middle School of Sharon.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, students from the Sharon Middle School of the town of Sharon. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Kafka of Stoughton.

### *Resolutions.*

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

Sarah Alma Victum.

Resolutions (filed by Mr. DeLeo of Winthrop) honoring Sarah Alma Victum on the occasion of her retirement;

Robert P. MacKendrick.

Resolutions (filed by Mr. Jones of North Reading) recognizing Robert P. MacKendrick for his hard work and dedicated service to the town of Lynnfield;

Jacob Burridge.

Resolutions (filed by Mr. Hill of Ipswich) honoring Jacob Burridge for his service to the United States of America, the Commonwealth and the town of Ipswich;

Boston,— smart transportation.

Resolutions (filed by Mr. Bradley of Hingham and other members of the House) on the occasion of the regional meeting of the Smart Transportation Division in Boston;

John Francis Healey.

Resolutions (filed by Mr. Collins of Boston) congratulating John Francis Healey for fifty years of service to South Boston Little League Baseball;

Stephen James Foley.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Stephen James Foley on earning the Eagle Scout Award;

Millbury,— bicentennial.

Resolutions (filed by Mr. Frost of Auburn) recognizing the town of Millbury's bicentennial celebration;

Oxford 300 celebration.

Resolutions (filed by Messrs. Frost of Auburn and Fattman of Sutton) recognizing the town of Oxford's three hundredth celebration; and

Richard Perron.

Resolutions (filed by Mr. Naughton of Clinton) congratulating Richard Perron on the occasion of his retirement from veterans service in the towns of Northborough, Shrewsbury and Grafton;

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.

*Petitions.*

Mr. Stanley of Waltham presented a petition (accompanied by bill, House, No. 3527) of Thomas M. Stanley (by vote of the town) for legislation to repeal a law authorizing the town of Lincoln to grant an additional license for the sale of wines and malt beverages to be drunk on the premises to AKA Bistro; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Lincoln,—  
AKA  
Bistro.

Petitions severally were presented and referred as follows:

By Mr. Lewis of Winchester, a petition (subject to Joint Rule 12) of Jason M. Lewis and others for legislation to ban shark fin trading.

Shark fin  
trading.

By Mr. Winslow of Norfolk, a petition (subject to Joint Rule 12) of Daniel B. Winslow and others for legislation to reduce sexual exploitation of victims of human trafficking.

Human  
trafficking.

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

*Papers from the Senate.*

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1799) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation relative to the board of selectmen of the town of Groveland; and

Groveland,—  
selectmen.

Petition (accompanied by bill, Senate, No. 1803) of Benjamin B. Downing, Tricia Farley-Bouvier and Paul W. Mark (with the approval of the mayor and city council) for legislation to revise the charter for the city of Pittsfield;

Pittsfield,—  
charter.

Severally to the committee on Municipalities and Regional Government.

*Reports of Committees.*

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill relative to the town manager of the town of Saugus (House, No. 3508) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Saugus,—  
town  
manager.

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.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Rose Britton, an employee of the Trial Court (House, No. 3516), be scheduled for consideration of the House.

Rose  
Britton,—  
sick leave  
bank.

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 Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to creating a commission to study the feasibility of simplifying the personal income tax code (House, No. 2606, changed in line 18 by inserting after the word “taxpayers;” the words “determining the impact of the new formula on state revenues; determining the feasibility of converting the state’s income-tax deductions

Personal  
income tax,—  
study.

into credits;”). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Juvenile jurisdiction.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to expand juvenile jurisdiction, increase public safety and protect children from harm (printed as Senate, No. 26).

Mosquito control.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to pesticide licensing and mosquito control (House, No. 757, changed 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 forthwith provide for the control of certain mosquito borne diseases, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.”).

Federal marketplace fairness.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2629, a Bill to ensure compliance with federal marketplace fairness (House, No. 3526).

School bus safety.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill concerning the safety of school children embarking and disembarking school buses (House, No. 3153).

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

Chelmsford,— Michael Curran.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill authorizing the town of Chelmsford to continue the employment of Fire Chief Michael Curran (House, No. 2211) [Local Approval Received].

Nancy LeBlanc,— sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Nancy LeBlanc, an employee of the Department of Public Health (House, No. 3502).

Tax exempt property.

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1333 and House, No. 2582, a Bill relative to tax exempt property (House, No. 2582, changed in line 62 by striking out the following: “XXXXX” and inserting in place thereof the figures “20”, and in line 75 by striking out the following: “23B of chapter 39” and inserting in place thereof the following: “20 of chapter 30A”).

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

*Engrossed Bill.*

Bill enacted.

The engrossed Bill authorizing the town of West Boylston to assess compensatory sewer privilege fees (see House, No. 1870) (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.*

Third reading bill.

The Senate Bill relative to a water storage facility in the city of Fall River (Senate, No. 1764), 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 relative to the town of Foxboro [sic] (House, No. 1819), was read a third time. Third reading  
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Chapter 5 of the acts of 2004 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The town of Foxborough shall be governed by the provisions of this act. To the extent that this act modifies or repeals existing general laws and special acts, including, but not limited to, chapter 46 of the acts of 1986, or the by-laws of the town of Foxborough, this act shall govern.

SECTION 2. Clause (4) of paragraph (B) of section 4 of said chapter 5 is hereby amended by adding the following sentence:— The town manager shall manage and direct the daily reporting and supervision of the water and sewer department employees.

SECTION 3. The second sentence of clause (8) of said paragraph (B) of said section 4 of said chapter 5 is hereby amended by striking out the words ‘water and sewer employees’.

SECTION 4. The board of selectmen of the town may take actions and enter into additional instruments and agreements as the board deems necessary to effectuate the purposes of this act.

SECTION 5. This act shall take effect upon its passage.”; and by striking out the title and inserting in place thereof the following title: “An Act relative to the town of Foxborough.”

The amendments were adopted; and the bill (House, No. 1819, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Recess.*

At fourteen minutes after eleven o’clock A.M., on motion of Mr. Diehl of Whitman (Mr. Donato of Medford being in the Chair), the House recessed until twenty-five minutes after eleven o’clock; and at twenty-seven minutes after eleven o’clock the House was called to order with Mr. Donato in the Chair. Recess.

#### *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.

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At twenty-six minutes after eleven o’clock A.M., on motion of Mr. Diehl of Whitman (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.