

JOURNAL OF THE HOUSE.

Thursday, July 10, 2014.

Met at seven 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.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Louisiana State Representatives Gregory Cromer and Alan Seabaugh. They were the guests of the Chair and Messrs. Beaton of Shrewsbury and Kafka of Stoughton. Louisiana legislators.

Special Report.

A report of the Secretary of Administration and Finance as required (under Section 23 of Chapter 48 of the Acts of 2014) prior to the execution of certain contracts in furtherance of military installations mission improvements and expansion projects or base realignment preparations and mitigation projects, was placed on file. Military installations, etc.— contracts.

Petitions.

Mr. Roy of Franklin presented a petition (accompanied by bill, House, No. 4287) of Jeffrey N. Roy and Richard J. Ross (by vote of the town) that the town of Franklin 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. Franklin,— medical marijuana sales tax.

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda for legislation to establish a sick leave bank for Robert Binton, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules. Robert Binton,— sick leave.

Paper from the Senate.

The House Bill promoting economic growth across the Commonwealth (House, No. 4181), 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 2241. Economic growth.

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, 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 Wagner, Ferrante of Gloucester and Gifford of Wareham were appointed the committee on the part of the House. Sent to the Senate to be joined. Committee of conference.

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 Candaras and Ross had been appointed the committee on the part of the Senate.

Juvenile
sentencing.

The House Bill relative to juvenile life sentences (House, No. 4184), 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 2258; and striking out the title and inserting in place thereof the following title: "An Act relative to juvenile life sentences for first-degree murder."

Committee of
conference.

Under suspension of Rule 35, on motion of Mr. Markey of Dartmouth, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Markey, Bradley of Hingham and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Id.

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 Brownberger, Flanagan and Tarr had been appointed the committee on the part of the Senate.

Developmental
disabilities.

The House Bill relative to assisting individuals with autism and other intellectual or developmental disabilities (House, No. 4047), 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 2257. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Denis
Cassidy,—
sick leave.

A petition (accompanied by bill) of Marc R. Pacheco and Susan Williams Gifford for legislation to establish a sick leave bank for Denis Cassidy, 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. 2260) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Psychotherapy,—
regulations.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill for consumer protection and regulation in psychotherapy (House, No. 236).

Hearing aids,—
access.

By the same member, for the same committee, on House, No. 213, a Bill to provide increased access to hearing aids (House, No. 4273).

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

- By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, No. 248, a Bill regulating secondary metals dealings (House, No. 4274). Secondary metals.
- By the same member, for the same committee, on House, No. 256, a Bill relative to updating the plumbing code in order to accommodate agricultural uses (House, No. 4275). Plumbing code,—agricultural uses.
- By the same member, for the same committee, on House, No. 262, a Bill relative to telecommunications systems contractors and technicians (House, No. 4276). Telecommunications.
- By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to abandoned vessels on DCR property (House, No. 4176). Abandoned vessels.
- By the same member, for the same committee, on House, No. 3828, a Bill relative to boating on Webster Lake (House, No. 4281) [Senator Rush dissenting]. Webster Lake,—boating.
- 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 granting an additional license for the sale of alcoholic beverages in the town of Milton (House, No. 4191) [Local Approval Received]. Milton,—alcoholic beverages.
- By the same member, for the same committee, on House, No. 3419, a Bill regarding further protection of consumers in the Commonwealth (House, No. 4277). Consumers,—leases.
- By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to shellfish aquaculture license fees in the town of Fairhaven (House, No. 4127) [Local Approval Received]. Fairhaven,—shellfish fees.
- By the same member, for the same committee, on a petition, a Bill relative to the naming of the street hockey arena in Marine Park in the South Boston neighborhood in the city of Boston (House, No. 4201). Boston,—Marine Park.
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.
- By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 342, 357, 371 and 526, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning special education, collaboratives and other related matters (House, No. 4282). Education,—study.
- By the same member, for the same committee, on House, Nos. 352, 446, 476, 483 and 3339, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning to early education and care, extra-curricular activities and other related matters (House, No. 4283). Id.
- By the same member, for the same committee, on Senate, Nos. 227, 232, 247, and 255 and House, Nos. 377, 380, 405, 435, 469, 470, 506, 515 and 521, an Order relative to authorizing the committee on Education to make an investigation and study of a certain Senate and House documents concerning regional schools, school building assistance, transportation, vocational-technical and other related issues (House, No. 4284). Id.

Education,—
study
orders.

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

Mr. Binienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Health Care
Financing,—
study.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 197, 227 and 299, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning consumer protection, professional licensure and other related matters. (House, No. 4286). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Mobile
telephones,—
robocalls.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, a Bill prohibiting robocalls to all mobile telephone devices (House, No. 299). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

Information
technology
equipment.

The Senate amendment of the House Bill financing information technology equipment and related projects (House, No. 3770), was considered.

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

Committee of
conference.

The House then non-concurred with the Senate in its amendment; and, on motion of Mr. Kocot of Northampton, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Kocot, Golden of Lowell and Boldyga of Southwick were appointed the committee on the part of the House. Sent to the Senate to be joined.

Id.

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 Joyce, Creem and Ross had been appointed the committee on the part of the Senate.

Licensure,—
identity.

The Senate amendment of the House relative to proof of identity for certain licensure (House, No. 3946), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

The House Bill relative to children of correction officers (House, No. 2222), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Third reading consolidation.

Said committee then reported recommending that the bill be consolidated with the following House bills:

Relative to sons and daughters of correction officers (printed as Senate, No. 1255); and

Relative to sons and daughters of correction officers (House, No. 2411), likewise referred to said committee; and the report was accepted.

The bill (House, No. 2222) then was passed to be engrossed. Sent to the Senate for concurrence.

House bills

Authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (House, No. 2838) (its title having been changed by the committee on Bills in the Third Reading); Third reading bills.

Relative to defense policies of the Commonwealth (House, No. 4109) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 4112);

Relative to authorization of the town administrator in the town of Sherborn to approve warrants for the payment (House, No. 4168) (its title having been changed by the committee on Bills in the Third Reading);

Increasing the number of selectmen in the town of Sherborn (House, No. 4169) (its title having been changed by the committee on Bills in the Third Reading); and

Validating the actions taken at the annual town election held by the town of Warren (printed in House, No. 4183) (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.

The Senate Bill relative to the Massachusetts Alzheimer's and Related Dementias Acute Care Advisory Committee (Senate No. 1882); and Second reading bills.

House bills

Regulating the granting of temporary licenses for the sale of wine, beer, and malt liquor at auctions (House, No. 270, changed);

To improve criminal laws relative to organized retail theft (House, No. 1474);

Approving the conveyance of property by town of Nantucket to the Nantucket Islands Land Bank (House, No. 4101);

Relative to the composition of the Nantucket Historic District Commission (House, No. 4102); and

Approving the conveyance of property by the County of Nantucket (House, No. 4103);

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

Child
suicide,—
study.

The House Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3741), was read a second time.

Pending the question on ordering the resolve to a third reading, Mr. Jones of North Reading and other members of the House moved to amend it in line 4, and also in line 8, by striking out the figure “3”, and inserting in place thereof, in each instance, the figure “4”;

In line 6 by inserting after the word “senate,” the following:”; and 1 of whom shall be a member of the senate appointed by the senate minority leader”;

In line 10 by inserting after the word “representatives:” the following: “and 1 of whom shall be a member of the house representatives appointed by the house minority leader”.

The amendments were adopted; and the bill (House, No. 3741, amended) 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 Monday next at eleven o’clock A.M.

Next
sitting.

Mr. Lombardo of Billerica then moved that as a mark of respect to the memory of Brion M. Cangiamila, a member of the House from Billerica in 1991 and 1992, the House adjourn; and the motion prevailed.

Accordingly at twenty-one minutes before twelve o’clock noon, on motion of Mr. Beaton of Shrewsbury (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.