

JOURNAL OF THE HOUSE.

Monday, July 14, 2014.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Message from the Governor — Disapprovals, Reductions and Recommendations of Amendments in the General Appropriation Bill.

A message from His Excellency the Governor returning with his disapproval of certain items and sections and parts of certain items and reductions in certain items; and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2015 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4001, amended] (for message, see House, No. 4300), filed in the office of the Clerk on Friday, July 11, was read. General Appropriation Bill,— disapprovals, reductions and amendments.

So much of the message as relates to the disapprovals and reductions were referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the sections returned with recommendations of amendments, as follows:

Section 27 — Printed as House, No. 4294;
 Sections 28, 56 to 59, 119, 120 and 290 — Printed as House, No. 4295;
 Section 125 — Printed as House, No. 4296;
 Section 206 — Printed as House, No. 4297;
 Section 251 — Printed as House, No. 4298; and
 Section 253 — Printed as House, No. 4299;

Severally were referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Message from the Governor.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4301), was filed in the office of the Clerk on Friday, July 11. Supplemental appropriations.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Resolutions.

Resolutions (filed with the Clerk by Mr. Carvalho of Boston and other members of the House) commending the Nelson Mandela Foundation on its observance of July 18, 2014 as Nelson Mandela Day, were referred, under Rule 85, to the committee on Rules. Nelson Mandela Day.

Nelson
Mandela
Day.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules 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.

Communication.

Health care
professionals,—
prescription
drug
education.

A communication from the Department of Public Health (see item 4510-0716 of Section 2 of Chapter 38 of the Acts of 2013) submitting a report relative to evidence-based outreach and education program designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to physicians, pharmacists and other health care professionals authorized to prescribe and dispense prescription drugs, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Employees,—
armed forces.

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux relative to public employees serving in the armed forces.

Rose M.
Passy,—
sick leave.

By Mr. Smola of Warren, a petition (subject to Joint Rule 12) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Rose M. Passy, an employee of the Department of Developmental Services.

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

Papers from the Senate.

Bills

Energy
efficiency.

Fueling job creation through energy efficiency (Senate, No. 2225, amended in section 2, in line 176, by striking out the word "small") (on Senate bill No. 177); and

Protective
proceedings.

Relative to uniform adult guardianship and protective proceedings jurisdiction (Senate, No. 2249) (on Senate bill No. 2165, amended);

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

Robotic
surgery,—
study.

A Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (Senate, No. 2261) (on Senate, No. 1069), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

Petitions severally were referred, in concurrence, as follows:

Templeton,—
finances.

Petition (accompanied by bill, Senate, No. 2135) of Stephen M. Brewer, Denise Andrews and Anne M. Gobi (by vote of the town) for legislation relative to the financial condition of the town of Templeton.

Ipswich,—
charter.

Petition (accompanied by bill, Senate, No. 2256) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation relative to the town charter for the town of Ipswich.

Severally to the committee on Municipalities and Regional Government.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2267) of Stanley C. Rosenberg and Ellen Story for legislation to increase the membership of the board of trustees and increasing quorum for the transaction of the corporate business of Amherst College. To the committee on Higher Education. Amherst
College.

Petition (accompanied by bill, Senate, No. 2268) of Richard J. Ross and Shawn Dooley for legislation to establish a sick leave bank for James Goguen, an employee of the Department of Developmental Services. To the committee on Public Service. James
Goguen,—
sick leave.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing a Mystic River water quality commission (House, No. 785), ought to pass with an amendment by substituting therefor a bill with the same title (House, No. 4302). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending. Mystic
River,—
commission.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of Mr. Speliotis of Danvers, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill recognizing the profession of interior designers to bid on state contracts (House, No. 2832), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4303). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending. Interior
designers,—
state
contracts.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, on motion of Mr. Smizk of Brookline, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing a board of registration in naturopathy (House, No. 3674), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4304). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending. Naturopathy,—
registration.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, on motion of Mr. Peterson of Grafton, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Child sexual
abuse,—
task force.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill creating a task force to protect Massachusetts children against child sexual abuse (House, No. 3803), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4305). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, on motion of Mr. Wong of Saugus, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Housing
authorities,—
reform.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to local housing authority reform (House, No. 4211), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4306). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, on motion of Mr. Smizk of Brookline, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Coaches,—
C.P.R.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Relative to cardiopulmonary resuscitation certification for athletic coaches (Senate, No. 1918);

Relative to insurance in the Commonwealth (House, No. 2779); and

Relative to carriers of property by motor vehicle (House, No. 3154).

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

Mr. Kafka of Stoughton, for said committee, reported recommending that the bills severally be scheduled for consideration by the House.

Under suspension of said rule, in each instance, on motion of Mr. Smizik of Brookline, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Volleyball,—
state
sport.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill designating volleyball as the official recreational and team sport of the Commonwealth (Senate, No. 1627), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Speliotis of Danvers, the bill was read a second time forthwith; and it was ordered to a third reading.

Economic
growth,—
bonds.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing the terms of certain bonds for economic growth in the Commonwealth (printed in House, No. 4241). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Murphy of Weymouth, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the actions taken at the annual town election in the town of Dudley (printed in House, No. 4257). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dudley,—
town
election.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Athanasios Gougoulias, an employee of the Department of Developmental Services (House, No. 4267).

Athanasios
Gougoulias,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Anita Rebello, an employee of the Department of Children and Families (House, No. 4268).

Anita
Rebello,—
sick leave.

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

Mr. Kafka of Stoughton, for said committee, reported that the matters be scheduled for consideration by the House; and they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to special juveniles (House, No. 1414), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Juveniles,—
petitions.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House; and it was placed in the Orders of the Day for the next sitting for a second reading.

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

Senate bills
Further regulating mutual aid agreements for roadway construction (Senate, No. 933); and

Roadway
construction.

Relative to rock wall climbing safe guards (Senate, No. 2253); and

Rock walls.

House bills
Authorizing the city of Lawrence to establish a program for enforcement against illegal dumping (House, No. 1288) [Local Approval Received];

Lawrence,—
dumping.

Providing equitable treatment for post-acute care hospitals (House, No. 1986);

Post-acute
care.

Relative to the health care of minors (House, No. 2027);

Minors,—
care.

Relative to shellfish aquaculture license fees in the town of Fairhaven (House, No. 4127) [Local Approval Received];

Fairhaven,—
shellfish.

Relative to parking ticket fines in the town of Wellfleet (House, No. 4175) [Local Approval Received];

Wellfleet,—
parking fines.

Granting an additional license for the sale of alcoholic beverages in the town of Milton (House, No. 4191) [Local Approval Received];

Milton,—
liquor license.

Authorizing the town of Dighton to recall elected officials (House, No. 4199) [Local Approval Received]; and

Dighton,—
recall elections.

Establishing a capital expenditure fund in the town of Rehoboth (House, No. 4225) [Local Approval Received];

Rehoboth,—
fund.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

Licensure,—
identity.

The engrossed Bill relative to proof of identity for certain licensure (see House, No. 3946, 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 4 to 0. Sent to the Senate for concurrence.

Mariange
Robert,—
sick leave.

The engrossed Bill establishing a sick leave bank for Mariange Robert, an employee of the Department of Correction (see House, No. 4203, 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 4 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Bill
enacted.

The engrossed Bill further regulating flood insurance (see House, No. 3783, amended) (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.

PANDAS/
PANS
Awareness
Day.

The Senate amendment of the House Bill designating October 9 as PANDAS/PANS Awareness Day (House, No. 2882), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Brookline,—
air
rights.

The Senate amendment of the House Bill authorizing the lease of air rights over a portion of a municipal off-street parking area (House, No. 4120), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Third
reading
bill.

The Senate Bill relative to the Department of Community Development in the town of Ware (Senate, No. 2109), 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.

Relative to fire safety (House, No. 4137);

Validating the results of the annual town meeting of the town of Millis held on May 12, 2014 (printed in House, No. 4182) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Kimberley DeSiata, an employee of the Department of State Police (House, No. 4230);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Mr. Peterson of Grafton then moved that as a mark of respect to the memory of John R. Driscoll, a member of the House from Northbridge from 1975 to 1992, inclusive, the House adjourn; and the motion prevailed.

Accordingly at twenty-four minutes before twelve o'clock noon, on motion of Mr. Peterson (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.