

JOURNAL OF THE HOUSE.

Tuesday, July 30, 2013.

Met according to adjournment at 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).

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.

Silent Prayer.

Amy
Lord.

During the session, Mr. Petrolati of Ludlow took the Chair and, at his request, the members, guests and employees stood in a moment of silent tribute to the memory of Amy Lord who was tragically murdered last Tuesday at the age of 24.

Amy, a 2007 graduate of Minnechaug High School, was captain of the Falcons cheerleading team, which won the Western Mass Cheerleading Championship. Amy was also a graduate in 2011 from Bentley University with a degree in marketing and liberal arts studies.

She is survived by her sisters Kimberly and Carly and was the loving and devoted daughter of Cyndy and Dennis Lord.

Resolutions.

Christopher R.
Weir.

Resolutions (filed with the Clerk by Mr. Winslow of Norfolk) congratulating Christopher R. Weir on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules.

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.

Papers from the Senate.

Heather
Pietras-
Gladu,—
sick leave.

A Bill establishing a sick leave bank for Heather Pietras-Gladu, an employee of the Department of Children and Families (Senate, No. 1808, amended in line 1 by striking out the following: "SECTION 1.", also in line 1 by striking out the words " , rule or regulation"; and in line 5 by inserting after the name "Pietras-Gladu" the words "to care for her child") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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.

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement upon land of the Commonwealth located in the town of Ware to the Massachusetts Water Resources Authority (Senate, No. 1837) (on Senate bill No. 1457), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Ware,—
land.

A Bill further regulating dogs in the town of Wareham (Senate, No. 965) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wareham,—
dogs.

Reports of Committees.

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 Angelo M. Scaccia for legislation to establish a sick leave bank for Amber Wilkin, an employee of the Executive Office of Health and Human Services. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Amber
Wilkin,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Westborough to grant an additional liquor license (House, No. 3471, changed in section 1, in line 10, by striking out the words “The license shall be nontransferable to any other location, but it may be granted” and inserting in place thereof the words “The licensing authority shall not approve the transfer of the license to any other location, but it may grant the license”) [Local Approval Received].

Westborough,—
liquor
license.

By the same member, for the same committee, on House, No. 3472, a Bill authorizing the town of Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3603) [Local Approval Received].

Fairhaven,—
liquor
license.

By the same member, for the same committee, on House, No. 3473, a Bill authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3604) [Local Approval Received].

Id.

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

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Dwight Melvin Seams, an employee of the Trial Court (House, No. 3599). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dwight
Melvin
Seams,—
sick leave.

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 Mr. Holmes of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Providing for the establishment and administration of rent regulations and the control of evictions in mobile home accommodations in the town of West Stockbridge (see Senate, No. 1755) (which originated in the Senate); and

Relative to the charter of the town of Norton (see House, No. 1848);

Authorizing increased fees for special details performed by public employees in the city of Melrose (see House, No. 3496); and

Relative to public detail work in the town of Harvard (see House, No. 3499);

(Which severally originated in House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills

Second
reading
bills.

Establishing the Worcester County Commission on the Status of Women (Senate, No. 927); and

Authorizing the town of Nahant to issue certain bond anticipation notes (Senate, No. 1786); and

House bills

Authorizing the town of Norfolk to grant an additional alcoholic beverages license (House, No. 307);

Authorizing municipalities to utilize funds from enterprise accounts (House, No. 1865);

Relative to organ retention (House, No. 2106);

Authorizing the city of Fitchburg to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3448);

Providing for recall elections in the town of Middlefield (House, No. 3495);

Relative to insurance proceeds from property claims in the town of Northborough (House, No. 3509);

Relative to insurance proceeds for injured police and fire personnel in the town of Northborough (House, No. 3510);

Amending the town meeting act and the town manager act of the town of Saugus (House, No. 3511);

Relative to the disposal of property known as the Nobscot Chapel in the town of Framingham (House, No. 3512);

Relative to risk management services (House, No. 3540); and

Relative to the Hanover town manager act (House, No. 3543);

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

Debt
management
services.

The House Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 875), was read a second time.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3569),—

Mr. Peterson of Grafton moved to amend the proposed substitute bill in section 2, in line 98, by inserting after the word "services." the following paragraph:

"(11) Licensed Massachusetts real estate brokers and salespersons who, in connection with listing and marketing a property for sale during the normal course of business, communicate or negotiate with the seller's lender about compromising the amount owed in order to facilitate sale of the property, provided that there is no additional fee for that service."

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended then also was adopted; and the substituted bill (House, No. 3569, amended) was ordered to a third reading.

Recess.

At twenty-three 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 one o'clock; and at fourteen minutes after one o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

Recess.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 196.

[See Yea and Nay No. 196 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Silvia of Fall River was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber on official business in another part of the State House for that taking of the previous quorum roll call, and therefore was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

Statement of
Mr. Silvia
of Fall River.

Emergency Measures.

The engrossed Bill authorizing a change of use of a certain parcel of land conveyed by the Commonwealth in the town of Falmouth (see House, No. 2853, amended) (which originated in the House), 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.

Falmouth,—
land.

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 24 to 0. Sent to the Senate for concurrence.

Falmouth,—
land.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 197.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 197 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Quincy,—
easement.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to dispose of real property located in the city of Quincy and to grant an access easement upon real property of the Massachusetts Water Resources Authority located in the city of Quincy (see House, No. 3570), 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 22 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Mercury
management.

The Senate Bill further regulating mercury management (Senate, No. 1758, amended), was read a second time.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3601),— Mr. Dempsey of Haverhill moved to amend the proposed substitute text by striking out section 5.

The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and the bill (Senate, No. 1758, amended) was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Gobi of Spencer, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Smizik of Brookline moved to amend it in section 1, in line 96, by striking out the following: “(iii) an evaluation of the effectiveness of the manufacturers collection program;” and by inserting after line 115 the following two paragraphs:

“(h) The department shall establish annual goals by December 31, 2013 for the collection and recycling of mercury-added thermostats for not less than a 10 year period. The department shall annually, no later than May 1, submit a report to the Joint Committee on the Environment,

Natural Resources and Agriculture which includes: (i) an evaluation of the effectiveness of the manufacturer's collection programs; (ii) a determination of whether the goals for the previous calendar year have been met; and (iii) recommendations for program or legislative changes to achieve meeting the goals in future years.

(i) All established annual recycling goals, manufacturers' annual reports and department annual reports shall be posted on the department's public internet website."

The amendments were adopted; and the bill (Senate, No. 1758, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (being the text contained in House document numbered 3601, amended).

The House Bill authorizing the town of Wellesley to convey a portion of the aqueduct land to be acquired by said town pursuant to chapter 267 of the acts of 2002 to Bike Realty LLC, for parking purposes, provided said town votes to transfer jurisdiction to the Natural Resources Commission of said town, to be held as parkland, land currently held for general municipal purposes, in satisfaction of article 97 land disposition policy of the Executive Office of Energy and Environmental Affairs (House, No. 3513), was read a second time; and it was ordered to a third reading.

Wellesley,—
land

Subsequently under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (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, its title having been changed by said committee to read: "An Act authorizing the conveyance of a certain parcel of land in the town of Wellesley." Sent to the Senate for concurrence.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538) (for message, see House, No. 3566), reported, in part, in each instance, that certain items (contained in section 2) and section 89 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the following items and sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 0330-0300 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$218,967,364 to \$218,937,364.

Trial Court
administration
item 0330-0300
stands,—
yea and nay
No. 198.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 198 in Supplement.]

Therefore item 0330-0300 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-0026 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$13,050,000 to \$10,800,000.

Municipal
regionalization
reserve
item 1599-0026
stands,—
yea and nay
No. 199.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 154 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 199 in Supplement.]

Therefore item 1599-0026 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-3557 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 133 members voted in the affirmative and 24 in the negative.

Social
innovation
financing
item 1599-3557
stands,—
yea and nay
No. 200.

[See Yea and Nay No. 200 in Supplement.]

Therefore item 1599-3557 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2511-3002 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$95,446 to \$55,446.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

Integrated
pest
management
item 2511-3002
stands,—
yea and nay
No. 201.

[See Yea and Nay No. 201 in Supplement.]

Therefore item 2511-3002 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$42,554,957 to \$41,984,957.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 136 members voted in the affirmative and 21 in the negative.

State parks
operations
item 2810-0100
stands,—
yea and nay
No. 202.

[See Yea and Nay No. 202 in Supplement.]

Therefore item 2810-0100 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0700 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$2,196,315,039 to \$2,196,115,039.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 127 members voted in the affirmative and 30 in the negative.

MassHealth
fee payments
item 4000-0700
stands,—
yea and nay
No. 203.

[See Yea and Nay No. 203 in Supplement.]

Therefore item 4000-0700 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4120-4005 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Living
independently
item 4120-4005
stands,—
yea and nay
No. 204.

[See Yea and Nay No. 204 in Supplement.]

Therefore item 4120-4005 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4510-0615 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording, reduced within said item from \$1,678,947 to \$1,588,947 and reduced said item from \$1,858,947 to \$1,768,947.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Radiation
monitoring
revenue
item 4510-0615
stands,—
yea and nay
No. 205.

[See Yea and Nay No. 205 in Supplement.]

Therefore item 4510-0615 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4512-0200 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$83,958,094 to \$83,483,094.

Substance
abuse
treatment
item 4512-0200
stands,—
yea and nay
No. 206.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 206 in Supplement.]

Therefore item 4512-0200 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4800-0038 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$249,436,051 to \$249,311,051.

Children
and families
services
item 4800-0038
stands,—
yea and nay
No. 207.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 207 in Supplement.]

Therefore item 4800-0038 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0099 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$6,647,129 to \$6,397,129.

Housing
administration
item 7004-0099
stands,—
yea and nay
No. 208.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 129 members voted in the affirmative and 28 in the negative.

[See Yea and Nay No. 208 in Supplement.]

Therefore item 7004-0099 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7008-0900 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$13,644,651 to \$12,714,651.

Office of
Travel and
Tourism
item 7008-0900
stands,—
yea and nay
No. 209.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 148 members voted in the affirmative and 9 in the negative.

[See Yea and Nay No. 209 in Supplement.]

Therefore item 7008-0900 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7053-1925 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,396,215 to \$4,321,215.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 210 in Supplement.]

Therefore item 7053-1925 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7066-0000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,318,529 to \$2,308,529.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 140 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 211 in Supplement.]

Therefore item 7066-0000 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7100-0200 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$478,891,873 to \$478,691,873.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 134 members voted in the affirmative and 23 in the negative.

[See Yea and Nay No. 212 in Supplement.]

Therefore item 7100-0200 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8324-0000 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$19,116,873 to \$17,236,873.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 213 in Supplement.]

Therefore item 8324-0000 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8900-0001 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$547,113,917 to \$544,913,917.

School
breakfast
program
item 7053-1925
stands,—
yea and nay
No. 210.

Department
of Higher
Education
item 7066-0000
stands,—
yea and nay
No. 211.

University of
Massachusetts
item 7100-0200
stands,—
yea and nay
No. 212.

Fire Services
item 8324-0000
stands,—
yea and nay
No. 213.

Department of
Correction
item 8900-0001
stands,—
yea and nay
No. 214.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 150 members voted in the affirmative and 7 in the negative.

[See Yea and Nay No. 214 in Supplement.]

Therefore item 8900-0001 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8910-8700 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$36,121,305 to \$34,021,305.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 215 in Supplement.]

Therefore item 8910-8700 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 89, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 216 in Supplement.]

Therefore section 89 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Plymouth
County Sheriff
item 8910-8700
stands,—
yea and nay
No. 215.

Hospital
residency
program
Section 89
stands,—
yea and nay
No. 216.

Supplemental
Appropriation
Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections and parts of certain items and sections, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539) (for message, see House, No. 3555), reported, in part, in each instance, that certain items (contained in sections 2 and 2E) and sections 46, 47, 52, 53 and 70 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the following items and sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 7004-2027 (contained in section 2E), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call (Mr. Donato of Medford being in the Chair) 136 members voted in the affirmative and 21 in the negative.

Community investment grants item 7004-2027 stands,—
yea and nay
No. 217.

[See Yea and Nay No. 217 in Supplement.]

Therefore item 7004-2027 (contained in section 2E) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 46, which had been reduced by the Governor, then was considered. The Governor had deleted certain wording.

On the question on passing said section, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 14 in the negative.

Office of Travel and Tourism section 46 stands,—
yea and nay
No. 218.

[See Yea and Nay No. 218 in Supplement.]

Therefore section 46 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 47, which had been reduced by the Governor, then was considered. The Governor had reduced the figures at the end of said section from \$7,791,109 to \$7,417,109.

On the question on passing said section, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 143 members voted in the affirmative and 14 in the negative.

Office of Travel and Tourism section 47 stands,—
yea and nay
No. 219.

[See Yea and Nay No. 219 in Supplement.]

Therefore section 47 was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mrs. Haddad of Somerset being in the Chair,—

Section 52, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Department of Fire Services section 52 stands,—
yea and nay
No. 220.

[See Yea and Nay No. 220 in Supplement.]

Therefore section 52 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 53, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Department of Fire Services section 53 stands,—
yea and nay
No. 221.

[See Yea and Nay No. 221 in Supplement.]

Therefore section 53 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8900-0001 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$3,800,000 to \$1,800,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 222 in Supplement.]

Therefore item 8900-0001 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 70, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 144 members voted in the affirmative and 13 in the negative.

[See Yea and Nay No. 223 in Supplement.]

Therefore section 70 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Department of Correction item 8900-0001 stands,— yea and nay No. 222.

Department of Correction section 70 stands,— yea and nay No. 223.

General Appropriation Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538) (for message, see House, No. 3566), reported, in part, that section 110 stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Dempsey of Haverhill, section 110, which had been vetoed by the Governor, was considered forthwith.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 224 in Supplement.]

Therefore section 110 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Collective bargaining section 110 stands,— yea and nay No. 224.

Orders of the Day.

The engrossed Bill relative to reimbursement for ambulance services (see House, No. 3557), being a printed copy of section 23 contained in the engrossed Bill making supplemental appropriations for the fiscal year 2013 (see House, No. 3539), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3554), was considered.

Ambulance
services,—
reimbursement.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment was rejected.

Mr. Turner of Dennis then moved to amend the bill by adding the following section:

“SECTION 2. Section 5F of Chapter 40 of the General Laws is hereby amended by inserting after the last paragraph the following words:— For the purposes of this section, the term ‘cost’ shall include the fiscal cost of maintaining and operating any emergency medical dispatch system that links the emergency vehicle of transport with hospitals or health care facilities. Such cost shall be a covered medical care expense for any health care insurer doing business in Massachusetts.”

After remarks the amendment was rejected.

The bill (see House, No. 3557) then was sent to the Senate for its action.

The engrossed Bill relative to sex offenders (see House, No. 3558), being a printed copy of sections 8 and 13 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment C of House, No. 3566), was considered.

Sex
offenders.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment then was adopted.

The bill (see House, No. 3558, amended) then was sent to the Senate for its action.

The engrossed Bill relative to a hospital merger market impact review (see House, No. 3559), being a printed copy of section 19 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment D of House, No. 3566), was considered.

Hospital
merger
market
impact
review.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment was rejected.

Mr. Dempsey of Haverhill then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

Hospital merger market impact review.

“SECTION 1. Subsection (f) of section 13 of chapter 6D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following sentence:— The commission shall issue its final report on the cost and market impact review within 185 days from the date that the provider or provider organization has submitted notice to the commission; provided that the provider or provider organization has certified substantial compliance with the commission’s requests for data and information pursuant to subsection (c) within 21 days of the commission’s notice, or by a later date set by mutual agreement of the provider or provider organization and the commission.”.

The amendment was adopted.

The bill (see House, No. 3559, amended) then was sent to the Senate for its action.

Public employee retirement administration commission.

The engrossed Bill establishing a public employee retirement administration commission (see House, No. 3560), being a printed copy of section 21 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment E of House, No. 3566), was considered.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment then was adopted.

The bill (see House, No. 3560, amended) then was sent to the Senate for its action.

Judicial compensation.

The engrossed Bill relative to judicial compensation (see House, No. 3564), being a printed copy of sections 114 to 134, inclusive, and 216 and 217, contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see attachment I of House, No. 3566), was considered.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment was rejected.

Mr. Dempsey of Haverhill then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 22 of chapter 211 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 1, the figure ‘\$151,239’ and inserting in place thereof the following figure:— \$166,239.

SECTION 2. Said section 22 of said chapter 211 is hereby further amended by striking out the figure ‘\$166,239’, inserted by section 1, and inserting in place thereof the following figure:— \$181,239.

SECTION 3. Said section 22 of said chapter 211, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in line 2, the figure ‘\$145,984’ and inserting in place thereof the following figure:— \$160,984.

SECTION 4. Said section 22 of said chapter 211 is hereby further amended by striking out the figure ‘\$160,984’, inserted by section 3, and inserting in place thereof the following figure:— \$175,984.

SECTION 5. Section 2 of chapter 211A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 1, the figure ‘\$140,358’ and inserting in place thereof the following figure:— \$155,358.

SECTION 6. Said section 2 of said chapter 211A is hereby further amended by striking out the figure ‘\$155,358’, inserted by section 5, and inserting in place thereof the following figure:— \$170,358.

SECTION 7. Said section 2 of said chapter 211A, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in line 2, the figure ‘\$135,087’ and inserting in place thereof the following figure:— \$150,087.

SECTION 8. Said section 2 of said chapter 211A is hereby further amended by striking out the figure ‘\$150,087’, inserted by section 7, and inserting in place thereof the following figure:— \$165,087.

SECTION 9. Section 4 of chapter 211B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 3, the figure ‘\$129,694’ and inserting in place thereof the following figure:— \$144,694.

SECTION 10. Said section 4 of said chapter 211B is hereby further amended by striking out the figure ‘\$144,694’, inserted by section 9, and inserting in place thereof the following figure:— \$159,694.

SECTION 11. Said section 4 of said chapter 211B, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in line 5, the figure ‘\$135,124’ and inserting in place thereof the following figure:— \$150,124.

SECTION 12. Said section 4 of said chapter 211B is hereby further amended by striking out the figure ‘\$150,124’, inserted by section 11, and inserting in place thereof the following figure:— \$165,124.

SECTION 13. Said section 4 of said chapter 211B, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in line 6, the figure ‘\$140,358’ and inserting in place thereof the following figure:— \$155,358.

SECTION 14. Said section 4 of said chapter 211B is hereby further amended by striking out the figure ‘\$155,358’, inserted by section 13, and inserting in place thereof the following figure:— \$170,358.

SECTION 15. Sections 1, 3, 5, 7, 9, 11 and 13 shall take effect January 1, 2014.

SECTION 16. Sections 2, 4, 6, 8, 10, 12 and 14 shall take effect July 1, 2014.”

The amendment was adopted.

The bill (House, No. 3564, amended) then was sent to the Senate for its action.

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.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at fourteen minutes before five o'clock P.M., on motion of Mr. Peterson of Grafton (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.