

## JOURNAL OF THE HOUSE.

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Monday, August 18, 2014.

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.

### *Resignation of Representative Keenan of Salem.*

The following communication was read; and spread upon the records of the House, as follows:

August 15, 2014.

Mr. Steven T. James  
*House Clerk*  
State House, Room 145  
Boston, MA 02133

Dear Mr. James,

Resignation of  
Representative  
John D.  
Keenan of  
Salem.

This letter serves to respectfully inform you that I am resigning from my position as State Representative for the 7th Essex District, effective August 23, 2014.

It has been a tremendous honor to serve my hometown of the City of Salem as a member of the House of Representatives for the last 10 years. I thank you for your friendship throughout that time and I wish you and all of my colleagues the very best in your future endeavors.

Please do not hesitate to contact me should you have any questions or concerns.

Best regards,

JOHN D. KEENAN,  
*State Representative,*  
*7th Essex District — Salem.*

### *Resolutions.*

Roland  
Rugoletti.

Resolutions (filed with the Clerk by Mr. Fernandes of Milford) on the occasion of the dedication of the Roland 'Papa Smurf' Rugoletti Pavillion at Camp Resolute, 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. Koczera of New Bedford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Turner of Dennis, a petition (accompanied by bill, House, No. 4409) of Cleon H. Turner, Randy Hunt and Brian R. Manna (by vote of the town) that the town of Barnstable be authorized to borrow funds for the purpose of repairing and maintaining certain private roads in said town; and Barnstable,—  
private  
roads.

By Mr. Turner of Dennis, a petition (accompanied by bill, House, No. 4410) of Cleon H. Turner, Randy Hunt and Brian R. Manna (by vote of the town) that the town of Barnstable be authorized to establish a sewer construction and private way maintenance and improvement fund; Barnstable,—  
sewer  
fund.  
Severally to the committee on Municipalities and Regional Government.  
Severally sent to the Senate for concurrence.

Mr. Miceli of Wilmington presented a petition (subject to Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Tina Jarbeau, an employee of the Executive Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules. Tina  
Jarbeau,—  
sick leave.

*Paper from the Senate.*

A petition (accompanied by bill, Senate, No. 2352) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to grant an additional liquor license, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure. Wareham,—  
liquor  
license.

*Reports of Committees.*

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 653, 675, 692, 780 and 826, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning land policy (House, No. 4398). Land  
policy,—  
study.

By the same member, for the same committee, on House, Nos. 663, 668, 700, 737, 738, 773 and 774, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning fisheries (House, No. 4399). Fisheries,—  
study.

By the same member, for the same committee, on House, Nos. 681, 795, 797, 3309, 3423, 3453 and 3480, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning local issues (House, No. 4400). Local  
environmental  
issues,—  
study.

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.

Middlesex  
Canal  
Commission.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the Middlesex Canal Commission (House, No. 767, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4408). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Robotic  
surgery.

The Senate Resolve providing for an investigation and study by a special commission relative to robotic surgery in the Commonwealth (Senate, No. 2261); and the

House bills

Sturbridge,—  
abatement.

Authorizing the board of assessors of the town of Sturbridge to grant tax abatements to certain military personnel (House, No. 4262) [Local Approval Received]; and

Vocational-  
technical  
teachers.

Relative to vocational-technical school teacher compensation (House, No. 4389);

Under suspension of Rule 7A, in each instance, on motion of the same member, the resolve and the bills severally were read a second time forthwith; and they were ordered to a third reading.

#### *Engrossed Bills.*

Bill  
enacted.

The engrossed Bill relative to the assessment of betterments for improvements to private ways in the town of Harwich (see House bill printed in House, No. 3869) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Bills  
enacted.

Relative to a vote in the Berkshire Hills Regional School District (see Senate, No. 2302, amended) (which originated in the Senate);

Relative to property tax exemptions for rental properties in the town of Truro restricted as affordable housing (see House, No. 2693); and

Authorizing the town of Conway to continue the employment of Robert Baker and Ronald Hawkes (see House, No. 3876, amended);

(Which severally originated in the 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.*

Defense  
policies.

The Senate amendment of the House Bill granting, updating, and revising defense policies of the Commonwealth (House, No. 4109), reported by the committee on Bills in the Third Reading to be correctly drawn was adopted, in concurrence.

The Senate Bill establishing the 104th fighter wing fire department (Senate, No. 1145, amended), 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. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Third reading bill.

House bills

Relative to the town treasurer for the town of Blandford (House, No. 4171); and

Third reading bills.

Validating the results of a certain election held in the town of Lancaster (printed in House, No. 4331);

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.

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The House Bill authorizing the city of Lawrence to establish a program for enforcement against illegal dumping (House, No. 1288, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Lawrence,— illegal dumping.

Pending the question on passing the bill to be engrossed, Mr. Devers of Lawrence moved to amend it by striking out sections 3 to 5, inclusive, and inserting in place thereof the following three sections:

“SECTION 3. The city of Lawrence may enforce section 1 by issuing a citation with the penalty as described in section 5 or prosecuting criminal or civil actions in the housing court, superior court or the district court of Essex county and may enforce section 2 by issuing a citation with the penalty as described in section 5 or prosecuting civil actions in those courts. No action commenced as a criminal action shall be converted to a civil enforcement action except with the consent of the city.

SECTION 4. A person convicted of a violation of section 1 shall be punished by a fine of not more than \$5,000.

SECTION 5. A person found responsible in a civil action for a violation of section 1 or 2 shall be required to pay a civil penalty of 3 times the amount estimated or actually paid by the city to remove the dumped material from the property, up to a maximum of \$5,000. The court may also issue other orders and injunctions to remedy the harm caused by the violation.”

The amendment was adopted; and the bill (House, No. 1288, amended) was passed to be engrossed. 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 Thursday next at eleven o’clock A.M.

Next sitting.

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At seventeen minutes after eleven o’clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M., in an Informal Session.