

JOURNAL OF THE HOUSE.

Monday, August 25, 2014.

Met at six 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.

Silent Prayer.

At the request of the Speaker, the members, guests and employees stood in a moment of silent prayer in respect to the memory of Representative John J. Binienda, a member of the House from Worcester from 1987 to 2014, who passed away on Friday. Representative
John J.
Binienda.

Messages from the Governor — Bills Returned with Recommendations of Amendments.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill to improve criminal laws relative to organized retail theft [see House, No. 1474, amended] (for message, see House, No. 4427), was filed in the office of the Clerk on Thursday, August 21. Organized
retail
theft.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to racing days [see House, No. 4365, amended] (for message, see House, No. 4426), was filed in the office of the Clerk on Thursday, August 21. Racing
days.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Papers from the Senate.

The House Bill relative to the sale of all alcoholic beverages to be drunk on the premises in the town of Topsfield (House, No. 4167), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 1, inserting after the word "Laws" the words "or any other general or special law to the contrary"; and striking out section 3 (as published) and inserting in place thereof the following two sections: Topsfield,—
alcoholic
beverages.

Topsfield,—
alcoholic
beverages.

“SECTION 2. The licensing authority shall not approve the transfer of a license granted under this act to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those entities and that all applicable taxes, fees and contributions have been paid.

SECTION 2A. A license granted under this act, if cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining to the license, to the licensing authority.”

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

John
Gallagher.

Establishing a sick leave bank for John Gallagher, an employee of the Department of Youth Services (Senate, No. 2358) (on Senate bill, No. 1997); and

Anthony
Gerniglia.

Establishing a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services (Senate, No. 2358) (on Senate bill, No. 2259);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Dental
facilities,—
wastewater.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4343) of James R. Miceli relative to industrial wastewater discharged from dental facilities,— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

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

Senate bills

Boat
transfers.

Relative to the transfer of boat registration between family members (Senate, No. 1670); and

Disabled.

Eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 2330); and

Barnstable,—
private
roads.

The House Bill relative to private road maintenance (House, No. 4336) [Local Approval Received];

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

Education,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 212, 215, 240, 241, 257, 258 and 272 and House, Nos. 345, 372, 398, 411, 412, 413, 428, 451, 467, 491, 495, 500 and 501, an

Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning accountability, charter schools, expanded learning time and other related issues (House, No. 4425).

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 669, 764 and 816, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning dams (House, No. 4420). Dams,—
study.

By the same member, for the same committee, on House, Nos. 676, 677, 761 and 762, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning oceans and waterways (House, No. 4421). Oceans, etc.,—
study.

By the same member, for the same committee, on House, Nos. 697, 709, 731 763 and 3666, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning sewage (House, No. 4422). Sewage,—
study.

By the same member, for the same committee, on House, Nos. 741, 746, 758, 765 and 787, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning recycling (House, No. 4423). Recycling,—
study.

By the same member, for the same committee, on House, Nos. 781, 830 and 3343, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning septic systems and other related issues (House, No. 4424). Septic
systems, etc.,—
study.

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

Ms. Hogan of Stow, 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.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill relative to the Squibnocket Pond Overlay District in the town of Chilmark (House, No. 4339) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Chilmark,—
chemical
use.

Orders of the Day.

The House Bill relative to certain municipal salaries in the city of Lynn (House, No. 4335), 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. Sent to the Senate for concurrence. Third
reading
bill.

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.

Speaker DeLeo of Winthrop and Representatives Donahue of Worcester, Keefe of Worcester, Mahoney of Worcester and O'Day of West Boylston then moved that as a mark of respect to the memory of John J. Binienda, a member of the House from Worcester from 1987 to 2014, who passed away last Friday, the House adjourn; and the motion prevailed.

Accordingly at a quarter after eleven o'clock A.M., on motion of Mr. Dooley of Norfolk (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on the following Thursday at eleven o'clock A.M., in an Informal Session.