

## JOURNAL OF THE HOUSE.

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Monday, December 23, 2013.

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.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Zachary  
Willett.

Resolutions (filed by Representatives Brady of Brockton, Canavan of Brockton and Cronin of Easton) congratulating Zachary Willett of Brockton upon his elevation to the rank of Eagle Scout; and

Harold  
Crocker.

Resolutions (filed by Mr. Vieira of Falmouth) congratulating Harold Crocker on being honored with the W.S. Berger Distinguished Service Award for Ventriloquism;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Petitions.*

Newburyport,—  
board of water  
and sewer.

Representative Costello of Newburyport and Senator O'Connor Ives presented a joint petition (accompanied by bill, House, No. 3823) of Michael A. Costello and Kathleen O'Connor Ives (with the approval of the mayor and city council) that the city of Newburyport be authorized to establish a board of water and sewer commissioners consisting of five members and two alternates; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Stow,—  
water  
supply.

A petition (subject to Joint Rule 9) of Kate Hogan and James B. Eldridge (by vote of the town) that the town of Stow be authorized to construct and install any structures, transmission lines, systems and facilities, for the purpose of operating a public water supply, on conservation land, was referred, under Rule 24, to the committee on Rules.

Petitions severally were presented and referred as follows:

Veterinarians,—  
non-compete.

By Mr. Cutler of Duxbury (by request), a petition (subject to Joint Rule 12) of Dr. David Diamond relative to non-compete agreements for veterinarians.

Life sciences,—  
sales tax.

By Mr. Lawn of Watertown, a petition (subject to Joint Rule 12) of John J. Lawn, Jr., relative to sales tax exemptions for life sciences research and development.

By Mrs. O'Connell of Taunton, a petition (subject to Joint Rule 12) of Shaunna O'Connell relative to certain property tax statutes. Property tax statutes.  
Severally, under Rule 24, to the committee on Rules.

*Papers from the Senate.*

A report of the committee on Consumer Protection and Professional Licensure, recommending that the communication from the Massachusetts Gaming Commission (under the provisions of Section 9B of Chapter 128A of the General Laws) submitting proposed changes to 205 CMR 3.29 and 4.52 governing medications and prohibited substances (Senate, No. 1902), be placed on file. Under Rule 42 the report was considered forthwith; and it was accepted, in concurrence. Racehorses,—medications and prohibited substances.

Petitions severally were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1962) of Stanley C. Rosenberg and Peter V. Kocot (with the approval of the mayor and city council) for legislation to authorize the city of Northampton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure. Northampton,—liquor license.

Petition (accompanied by bill, Senate, No. 1938) of Therese Murray and Timothy R. Madden (by vote of the town) for legislation to authorize the board of selectmen to exempt certain eco-toilet installations from sewer connections and associated betterments in the town of Falmouth; Falmouth,—eco-toilets.

Petition (accompanied by bill, Senate, No. 1939) of Therese Murray and Timothy R. Madden (by vote of the town) for legislation to regulate sewer service area betterment assessments in the town of Falmouth; Falmouth,—sewer betterments.

Petition (accompanied by bill, Senate, No. 1940) of Therese Murray and Timothy R. Madden for legislation to further amend Chapter 654 of the Acts of 1975 (2); Falmouth,—historical commission.

Petition (accompanied by bill, Senate, No. 1941) of Therese Murray and Timothy R. Madden for legislation to further amend Chapter 654 of the Acts of 1975; Id.

Petition (accompanied by bill, Senate, No. 1961) of Michael J. Rodrigues and Paul A. Schmid, III (by vote of the town) for legislation to authorize the town of Westport to lease a certain parcel of land; Westport,—land.

Severally to the committee on Municipalities and Regional Government.

The following notice was received from the Clerk of the Senate, to wit:—

December 20, 2013.

Honorable Robert A. DeLeo  
*Speaker of the House of Representatives*  
Room 356, State House  
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray had made the following appointments to certain special commissions:

Senator Sal N. DiDomenico to the special commission established (pursuant to Section 166 of Chapter 38 of the Acts of 2013) to make an investigation and study relative to the cost of administering early education and care services in the Commonwealth; Early education and care.

Summer Olympics.

Senator Eileen M. Donoghue and Mr. Ralph Cox to the special commission established (pursuant to Chapter 1 of the Resolves of 2013) to make an investigation and study relative to the feasibility of hosting the Summer Olympics in the Commonwealth;

State House art.

Ms. Jacqueline Lane of Sagamore and Mr. Christopher Hussey of Brookline (pursuant to Section 6 of Chapter 38 of the Acts of 2013) to the State House Art Commission;

Postpartum depression.

Senator Joan Lovely to the special commission established (pursuant to Chapter 313 of the Acts of 2010) to make an investigation and study of postpartum depression, replacing former Senator Stephen A. Tolman;

Tourism.

Senator Jennifer L. Flanagan (pursuant to Section 195(a) of Chapter 38 of the Acts of 2013) to the Tourism Formula Commission; and

Project selections.

Mr. Jeffrey B. Mullan (pursuant to Section 11 of Chapter 46 of the Acts of 2013) of to the Project Selection Advisory Council.

The Honorable Bruce E. Tarr, Senate Minority Leader, had announced the following appointments to special commissions:

Summer Olympics.

Jonah A. Beckley of Somerville to the Special Commission established (pursuant to Chapter 1 of the Resolves of 2013) to make an investigation and study relative to the feasibility of hosting the Summer Olympics in the Commonwealth; and

Project selections.

John M. Pourbaix, Jr. (pursuant to Section 11 of Chapter 46 of the Acts of 2013) to the Project Selection Advisory Council.

Commission appointment.

The Honorable John F. Keenan, Senate chair of the joint committee on Public Health, had announced the appointment of Senator Kathleen O'Connor Ives to serve as his designee (pursuant to Section 206 of Chapter 139 of the Acts of 2012) on the Special Commission on Chronic Obstructive Pulmonary Disease.

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the following appointments:

Senate Minority Caucus appointments.

*Minority Whip:* . . . . . Senator Donald Humason of  
Second Hampden and Hampshire

*Senate Ways and Means*

*Committee:* . . . . . Senator Richard J. Ross of  
(Ranking Member) Norfolk, Bristol and Middlesex

SENATE COMMITTEES.

Senate standing committees.

*Ethics and Rules* — Tarr of Essex and Middlesex and Ross of Norfolk, Bristol and Middlesex.

*Ways and Means* — Ross of Norfolk, Bristol and Middlesex and Humason of Hampden and Hampshire.

*Bills in the Third Reading* — Tarr of Essex and Middlesex.

*Post Audit and Oversight* — Hedlund of Plymouth and Norfolk.

*Bonding, Capital Expenditures and State Assets* — Humason of Hampden and Hampshire

*Steering and Policy* — Tarr of Essex and Middlesex.

*Global Warming and Climate Change* — Hedlund of Plymouth and Norfolk.

JOINT COMMITTEES.

- Children, Families and Persons with Disabilities* — Humason of Hampden and Hampshire.  
*Community Development and Small Businesses* — Hedlund of Plymouth and Norfolk.  
*Consumer Protection and Professional Licensure* — Humason of Hampden and Hampshire.  
*Economic Development and Emerging Technologies* — Ross of Norfolk, Bristol and Middlesex.  
*Education* — Ross of Norfolk, Bristol and Middlesex.  
*Elder Affairs* — Hedlund of Plymouth and Norfolk.  
*Election Laws* — Tarr of Essex and Middlesex.  
*Environment, Natural Resources and Agriculture* — Hedlund of Plymouth and Norfolk.  
*Financial Services* — Hedlund of Plymouth and Norfolk.  
*Health Care Financing* — Tarr of Essex and Middlesex.  
*Higher Education* — Ross of Norfolk, Bristol and Middlesex.  
*Housing* — Tarr of Essex and Middlesex.  
*The Judiciary* — Ross of Norfolk, Bristol and Middlesex.  
*Labor and Workforce Development* — Hedlund of Plymouth and Norfolk.  
*Mental Health and Substance Abuse* — Ross of Norfolk, Bristol and Middlesex.  
*Municipalities and Regional Government* — Ross of Norfolk, Bristol and Middlesex.  
*Public Health* — Humason of Hampden and Hampshire.  
*Public Safety and Homeland Security* — Ross of Norfolk, Bristol and Middlesex.  
*Public Service* — Humason of Hampden and Hampshire.  
*State Administration and Regulatory Oversight* — Tarr of Essex and Middlesex.  
*Revenue* — Humason of Hampden and Hampshire.  
*Telecommunications, Utilities and Energy* — Humason of Hampden and Hampshire.  
*Tourism, Arts and Cultural Development* — Hedlund of Plymouth and Norfolk.  
*Transportation* — Hedlund of Plymouth and Norfolk.  
*Veterans and Federal Affairs* — Humason of Hampden and Hampshire.

Joint standing committees.

Respectfully submitted,

WILLIAM F. WELCH,  
*Clerk of the Senate.*

*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 Ryan C. Fattman and Richard T. Moore relative to boating on Webster Lake. Under suspension of the rules, on motion of Mrs. Poirier of North Attleborough, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Webster Lake.

Prevailing  
wage.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the payment of wages (House, No. 1776),— 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.

Robert A.  
Montalvo,—  
sick leave.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Robert A. Montalvo, an employee of the Department of Correction (House, No. 3813). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then 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.

Marine  
fisheries,—  
licenses.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to licenses issued by the Division of Marine Fisheries (House, No. 817), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3821). 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 the same member, 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.

Municipalities,—  
regionalization.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to promote municipal collaboration and regionalization throughout the Commonwealth (House, No. 3658), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3822). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of the same member, 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.

Framingham,—  
Robert  
Tibor.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Framingham to continue the employment of police officer Robert Tibor (House, No. 3792) [Local Approval Received], be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on motion of Mr. Sannicandro of Ashland, the bill was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

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

The Senate Bill regulating the use of buprenorphine in opioid dependence treatment (Senate, No. 1926); and Buprenorphine use.

House bills

Permitting the sale of alcohol on Sunday mornings (House, No. 228); Liquor sales.

and Check-cashing fee.

Creating a maximum allowable check-cashing rate (House, No. 3778);

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.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill amending the preparation of certain ballots in the city of Boston (House, No. 616) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Boston,—ballots.

*Engrossed Bills.*

Engrossed bills

Authorizing the town of Holliston to establish an other post-employment benefits fund (see House, No. 2303); and Bills enacted.

Relative to the milk producer's security fund reimbursement (see House, No. 3785);

(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.*

House bills

Authorizing the town of Dedham to grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3614); and Third reading bills.

Authorizing the town of Orleans to grant an additional liquor license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3622);

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,—

Next  
sitting.

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

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At twenty-three minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.