

JOURNAL OF THE HOUSE.

Tuesday, January 21, 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).

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.

Communication from Representative Walsh of Lynn.

The following communication was received from Representative Walsh of Lynn to wit:—

January 21, 2014.

Steven James
Clerk of the House
 State House, Room 145
 Boston, MA 02133

Dear Mr. James,

I am writing to inform you that I am resigning my position as Chair of the House Committee on Health Care Financing, effective immediately. Additionally, please remove me as member of said committee. Representative Walsh of Lynn,—
communication.

It has been an honor and a privilege to have served the legislature in this capacity.

Warm regards,

STEVEN M. WALSH,
11th Essex District.

The communication was read; and it was placed on file.

Resolutions.

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

Resolutions (filed by Ms. Peisch of Wellesley) honoring Jarrett Eoin Huddleston on receiving the Eagle Award of the Boy Scouts of America; Jarrett Huddleston.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Matthew Christopher Huddleston on receiving the Eagle Award of the Boy Scouts of America; and Matthew Huddleston.

Resolutions (filed by Mr. Zlotnik of Gardner) congratulating Leon J. Zlotnik on his ninetieth birthday; Leon J. Zlotnik.

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. 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.

Petitions.

Petitions severally were presented and referred as follows:

Marlborough,—
fund.

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 3862) of Danielle W. Gregoire, Thomas P. Conroy and James B. Eldridge (with the approval of the mayor and city council) that the city of Marlborough be authorized to establish a parks and field capital enhancements fund from a portion of the meals tax received annually by said town.

Brookline,—
air rights.

By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 3863) of Frank I. Smizik and Cynthia S. Creem (by vote of the town) that the town of Brookline be authorized to issue a lease of air rights over a certain portion of town owned land.

Newton,—
special
police.

Severally to the committee on Municipalities and Regional Government.

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3864) of Kay Khan and others (with the approval of the mayor and board of aldermen) that the city of Newton be authorized to appoint retired police officers as special police officers. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Parole,—
second degree
murder.

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley relative to parole hearings for persons convicted of second degree murder.

Auto
insurance,—
charges.

By Mr. Jones of North Reading, a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., relative electronic automobile insurance charges.

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

Papers from the Senate.

Joseph W.
Teta,—
sick leave.

The House Bill establishing a sick leave bank for Joseph W. Teta, an employee of the Trial Court (House, No. 3781), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 2 by inserting after the word “employee” the words “of the Somerville district court in the department of”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Katrina
Aliengena,—
sick leave.

A Bill establishing a sick leave bank for Katrina Aliengena, an employee of the Department of Developmental Services (Senate, No. 1960, amended by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is establish forthwith a sick leave bank for a certain employee of the department of developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (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, then reported that the bill 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 establishing a sick leave bank for Maria A. DeCoste, an employee of the office of Medicaid (Senate, No. 1983) (on Senate bill, No. 1969), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Maria A.
DeCoste,—
sick leave.

A petition (accompanied by bill) of Patricia D. Jehlen and Denise Provost for legislation to establish a sick leave bank for Debra Saverse, an employee of the Department of Revenue, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Debra
Saverse,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1984) was referred, in concurrence, to the committee on Public Service.

Reports

Of the District Attorney of Essex County (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013; and

Essex
County,—
wiretaps.

Of the District Attorney of the Northwestern District (under the provisions of Section 99 of Chapter 272 of the General Laws) submitting a report relative to wiretaps for the calendar year 2013;

Northwestern
District
Attorney,—
wiretaps.

Severally were spread upon the records of the House; and returned to the Senate.

Reports of Committees.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 3860) (for order, see House, No. 3861). The order then was adopted.

Transporta-
tion,—
bond.

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. 678) of Tackey Chan and others relative to establishing a special commission (including members of the General Court) to make an investigation and study concerning cytotoxic drugs in the environment,— and recommending that the same be referred to the committee on Public Health. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Cytotoxic
drugs,—
study.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a joint petition, a Bill eliminating the board of public works (House, No. 3834) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Acushnet,—
public
works.

Acushnet,—
public
works.

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.

Fisheries and
Wildlife.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill expanding the powers of the director of Fisheries and Wildlife (House, No. 714).

Vehicle
emissions.

By the same member, for the same committee, on a petition, a Bill to promote the reduction of green house gas emissions and to reduce the use of fossil fuels for vehicles in the Commonwealth (House, No. 801, changed in line 27 by striking out the year "2009" and inserting in place thereof the year "2014"; and in line 102 by striking out the year "2014" and inserting in place thereof the year "2015").

Batteries,—
recycling.

By the same member, for the same committee, on a petition, a Bill requiring recycling of lead acid batteries (House, No. 810).

Towns,—
tax
exemptions.

By the same member, for the same committee, on a petition, a Bill exempting towns from certain fees (House, No. 822, changed in section 1, in line 1, by striking out the year "2006" and inserting in place thereof the year "2012").

Boater
safety.

By the same member, for the same committee, on House, No. 664, a Bill relative to boater safety to be known as the David Hanson act (House, No. 3855).

Snowmobiles,—
safety
program.

By the same member, for the same committee, on House, No. 715, a Bill establishing a snowmobile educational safety program (House, No. 3856).

Raw
milk.

By the same member, for the same committee, on House, No. 717, a Bill relative to the distribution of raw milk (House, No. 3857).

Antique
snowmobiles.

By the same member, for the same committee, on House, No. 752, a Bill relative to the registration of antique snowmobiles (House, No. 3858).

Meat and
poultry.

By the same member, for the same committee, on House, No. 755, a Bill to strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3859).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Swampscott,—
charter.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill validating the charter amendments approved at the May 15, 2006 annual town meeting held in the town of Swampscott (printed in House, No. 3768).

Municipal
borrowing.

By the same member, for the same committee, on a joint petition, a Bill relating to the issuance of temporary notes by cities, towns and districts (House, No. 3773).

Acton,—
land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Acton to transfer certain forest land to general municipal purposes (House, No. 3776) [Local Approval Received].

Quincy
College.

By the same member, for the same committee, on a petition, a Bill relative to Quincy College (House, No. 3814) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill authorizing the late filing of a tax abatement application for the Amherst Committee for a Better Chance, Inc. (House, No. 3817) [Local Approval Received].

Amherst,—
tax
abatement.

By the same member, for the same committee, on a joint petition, a Bill relative to the Parks and Recreation Commission in Hardwick (House, No. 3818) [Local Approval Received].

Hardwick,—
parks, etc.
commission.

By the same member, for the same committee, on a joint petition, a Bill creating a board of water and sewer commissioners in the city of Newburyport (House, No. 3823) [Local Approval Received].

Newburyport,—
water and sewer
commissioners.

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

Engrossed Bills.

Engrossed bills

Authorizing the town of Belmont to grant licenses for the sale of alcoholic beverages not to be drunk on the premises (see House, No. 3656);

Bills
enacted.

Establishing the position of town administrator in the town of Belmont (see House, No. 3657); and

Authorizing the town of Belmont to grant licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3780, 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.

The Senate authorizing the board of assessors of the town of Newbury to grant an abatement of real estate taxes to certain Plum Island homeowners for fiscal year 2013 (Senate, No. 1909), 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.

Third
reading
bill.

The House Bill authorizing the town of Stoneham to establish a special fund for the collection and disposal of trash (House, No. 3744), 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.

Id.

The House Bill relative to healthy youth (House, No. 3793), was read a second time.

Second reading
bill referred to
Ways and
Means.

Pending the question on ordering the bill to a third reading, it was referred, under Rule 33, to the committee on Ways and Means.

Reconsideration.

Mr. DeLeo of Winthrop asked that the vote be reconsidered by which the House, on Thursday last, adopted the following order (offered by him):

State of
the State
address.

“Ordered, That a convention of the two branches be held at a quarter before [A] six o’clock P.M., on Tuesday, January 21, 2014, for the purpose of receiving such communication as the Governor, Deval L. Patrick may be pleased to make to them relating to the concerns of the Commonwealth.”

The motion was entertained; and it prevailed.

Pending the recurring question on adoption of the order, the same member moved to amend it by striking out [at “A”] the word “six” and inserting in place thereof the word “seven”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-seven minutes before twelve o’clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nineteen minutes before four o’clock the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Transporta-
tion,—
finances.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill financing improvements to the Commonwealth’s transportation system (House, No. 3763), ought to pass with an amendment substituting a bill with the same title (House, No. 3860).

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution a bill with the same title (House, No. 3836),— and the amendment recommended by the committee on Ways and Means pending.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, 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 previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 3860) was ordered to a third reading.

Orders.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That notwithstanding the provisions of an order previously adopted, insomuch as relates to the House of Representatives and the Senate, the convention of the two branches scheduled for a quarter before seven o’clock P.M. this evening, for the purpose of receiving such communication as Governor, Deval L. Patrick may be pleased to make to them relating to the concerns of the Commonwealth, having been postponed by His Excellency the Governor, shall be rescinded.

State of
the State
address
rescinded
due to
snow
emergency.

On motion of Mr. DeLeo of Winthrop,—

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

At eight minutes before four o'clock P.M., on motion of Mr. Jones of North Reading (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.