

JOURNAL OF THE HOUSE.

Thursday, March 20, 2014.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), 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:

Allan Noe
Bursaw.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Allan Noe Bursaw on receiving the Eagle Award of the Boy Scouts of America;

Thomas J.
Curry.

Resolutions (filed by Mr. Costello of Newburyport) honoring Thomas J. Curry for his dedicated service to the Commonwealth of Massachusetts and to the United States of America;

Bedford,—
Minutemen.

Resolutions (filed by Mr. Gordon of Bedford) congratulating the Modern Bedford Minuteman Company on fifty years of service to the town of Bedford;

USA Warriors
hockey
program.

Resolutions (filed by Mr. Gordon of Bedford) commending the USA Warriors ice hockey program for its continued support for military veterans; and

Benjamin
Vitale.

Resolutions (filed by Ms. Hogan of Stow) congratulating Benjamin Vitale on achieving the rank of Eagle Scout with the Boy Scouts of America;

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 were considered forthwith; and they were adopted.

Orders.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Education
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Tuesday, March 25, 2014, within which to make its final report on current Senate document numbered 235 and House documents numbered 362, 425, 464, 468, 505, 529, 530, 531 and 532.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Markey of Dartmouth) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 65, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 830, 831, 832, 833, 835, 836, 837, 838, 839, 840, 841, 842, 1127, 1389, 1779, 1913, 1914 and 2008 and current House documents numbered 5, 9, 10, 20, 21, 27, 30, 31, 32, 33, 34, 35, 36, 37, 38, 52, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1512, 1513, 1514, 1515, 1516, 1517,

The Judiciary
committee,—
extension
of time for
reporting.

The Judiciary committee,— extension of time for reporting.

1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 2101, 2102, 2149, 2870, 3230, 3261, 3294, 3295, 3311, 3312, 3351, 3352, 3353, 3393, 3394, 3427, 3428, 3572, 3596, 3691, 3692, 3746, 3747, 3748, 3749, 3782, 3798, 3824, 3865, 3886, 3887, 3910 and 3924.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Khan of Newton, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Conroy of Wayland) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Labor and Workforce Development committee,— extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Thursday, July 31, 2014, within which to make its final report on current Senate documents numbered 150, 846, 852, 862, 864, 870, 875, 878, 879, 883, 886, 895, 900 and 901 and House documents numbered 1695, 1701, 1707, 1711, 1715, 1718, 1729, 1732, 1734, 1736, 1738, 1739, 1740, 1747, 1749, 1751, 1756, 1757, 1765, 1769, 1770, 1772, 1773, 1775, 1778, 3296 and 3313.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Communications.

Communications

Minority and women owned business.

From the Division of Capital Asset Management and Maintenance submitting a report of said division (see Section 40N(i) of Chapter 7 of the General Laws) relative to the Minority Business Enterprise and Women Business Enterprise participation on certain state construction projects for fiscal year 2013; and

Disabled,— case referrals.

From the Massachusetts District Attorneys Association (see line item 0340-2100 in Section 2 Chapter 38 of the Acts of 2013) submitting its report detailing by district, the amount of case referrals by the disabled persons protection commission for fiscal year 2013;

Severally were placed on file.

Papers from the Senate.

The House Bill making financing improvements to the Commonwealth's transportation system (House, No. 3882), came from the Senate with the endorsement that said branch had insisted on its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2033) (in which the House had non-concurred).

Transportation improvements,—
financing.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators McGee, Brewer and Hedlund had been joined as the committee on the part of the Senate.

Committee of conference.

Bills

Designating a certain bridge in the town of Andover as the Andover Veterans of the Iraqi and Afghanistan Wars Memorial Bridge (Senate, No. 1967) (on a petition);

Andover,—
veterans
bridge.

Authorizing the town of Oakham to continue the employment of Fire Chief Thomas Snay (Senate, No. 1999) (on a petition) [Local Approval Received]; and

Oakham,—
Thomas
Snay.

Establishing a sick leave bank for Cynthia Salsman, an employee of the Soldiers' Home in Massachusetts (Senate, No. 2029) (on a petition);

Cynthia
Salsman,—
sick leave.

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.

A petition of Benjamin B. Downing, Paul W. Mark and Tricia Farley-Bouvier for legislation to establish a sick leave bank for Maria Elaskar-Stack, an employee of the Department of Children and Families, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Maria
Elaskar-
Stack,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2062) was referred, in concurrence, to the committee on Public Service.

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 Carolyn C. Dykema, James B. Eldridge and others for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Westborough. Under suspension of the rules, on motion of Ms. Provost of Somerville, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Westborough,—
land.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill to create the position of poet laureate for the Commonwealth of Massachusetts (House, No. 2999);

Poet
laureate.

Springfield,—
courthouse
construction.

Of the Resolve to direct the Office of Administration and Finance, as well as the Massachusetts House of Representatives and Massachusetts State Senate to study the feasibility of constructing a 21st Century Courthouse in Hampden County, located in the city of Springfield (House, No. 3685); and

Public
records.

Of the Bill to improve access to public records (House, No. 3945);

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.

Subsequently Mr. Binienda, for the committee on Rules, reported, in each instance, that the foregoing matters ought to pass; and they severally were referred, under Rule 33, to the committee on Ways and Means.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration:

Owner
controlled
insurance.

Of the petition (accompanied by bill, House, No. 2778) of Carlo Basile for legislation to authorize the combined procurement of owner controlled insurance programs by certain state agencies; and

Insurance
costs.

Of the petition (accompanied by bill, House, No. 2779) of Carlo Basile for legislation to provide that awarding authorities bear the costs and benefits of certain insurance required for projects;

And recommending that the same severally be referred to the committee on Financial Services.

State
Auditor,—
access.

Of the petition (accompanied by bill, House, No. 2834) of Jay R. Kaufman and others for legislation to grant the State Auditor access to certain confidential tax information for use in auditing tax expenditures,— and recommending that the same be referred to the committee on Revenue.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Congress,—
budgetary
matters.

By Mr. Basile of Boston, for the committee on Veterans and Federal Affairs, asking to be discharged from further consideration of the petition (accompanied by resolutions, House, No. 3211) of Carl M. Sciortino, Jr., and others for the adoption of resolutions memorializing the Congress of the United States to take certain actions concerning national budgetary matters; and

By Mr. Dempsey of Haverhill, for the joint committee on Ways and Means, asking to be discharged from further consideration:

Legislation,—
unfunded
mandates.

Of the petition (accompanied by bill, House, No. 3216) of Matthew A. Beaton and others for legislation to require that fiscal notes be attached to legislation providing unfunded mandates on municipal governments;

Appropriation
bills,—
estimates.

Of the petition (accompanied by bill, House, No. 3217) of Jay R. Kaufman and others for legislation to require estimated amounts of appropriations for a subsequent fiscal year on appropriation bills;

Legislative
budget
office.

Of the petition (accompanied by bill, House, No. 3218) of Jay R. Kaufman and others for legislation to establish a legislative budget office;

Of the petition (accompanied by bill, House, No. 3219) of James J. Lyons, Jr., and Marc T. Lombardo for legislation to require the Executive Office for Administration and Finance to prepare a report relative to expenditures in the state budget;

State budget,—
expenditures.

Of the petition (accompanied by bill, House, No. 3220) of James J. Lyons, Jr., and Marc T. Lombardo for legislation to require the Executive Office for Administration and Finance to prepare a report relative to expenditures from the Health Safety Net Program, so-called;

Health Safety
Net Program,—
expenditures.

Of the petition (accompanied by bill, House, No. 3221) of James R. Miceli and others relative to allocations to be made from the Sewer Rate Relief Fund; and

Sewer Rate
Relief Fund.

Of the petition (accompanied by bill, House, No. 3222) of Cleon H. Turner and Timothy R. Madden relative to the distribution of funds to the Gaming Local Aid Fund and the Local Aid Stabilization Fund;

Local aid,—
distributions.

And recommending that the same severally be referred to the House committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence, inso-much as relates to the discharge of the committees.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill providing a homeless bill of rights (House, No. 3595).

Homeless,—
rights.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a joint petition, a Bill relative to the Essex North Shore Agricultural and Technical School District (House, No. 3959).

Essex
Aggie.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to a special commission to study condominium law (House, No. 1092). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Condominium
law,—
study.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill establishing an apprentice training program for the rehabilitation of foreclosed properties (House, No. 1126).

Foreclosed
properties,—
rehabilitation.

By the same member, for the same committee, on a petition, a Bill relative to the efficiency of subsidized housing procedures (House, No. 1154).

Subsidized
housing.

By the same member, for the same committee, on a petition, a Bill relative to housing in Massachusetts (House, No. 3293).

Housing.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill relative to Title 5 income tax credit reform (House, No. 2605).

Title 5,—
tax credit.

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

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to the Massachusetts Housing Authority (House, No. 1136).

Housing
Authority.

Elderly housing,—
smoke free.

By the same member, for the same committee, on a petition, a Bill creating smoke free elderly housing units in the Commonwealth (House, No. 1157).

Carmen Mahone.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Carmen Mahone, an employee of the Trial Court (House, No. 3964).

Correction officers,—
children.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill relative to sons and daughters of corrections officers (printed as Senate, No. 1255).

Paraplegic veterans,—
exemptions.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 2519 and 2564, a Bill providing for an exemption for certain paraplegic veterans (House, No. 2519).

Truro,—
rental property.

By the same member, for the same committee, on a joint petition, a Bill relative to property tax exemptions for rental properties in the town of Truro restricted as affordable housing (House, No. 2693) [Local Approval Received].

Harwich,—
private ways.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to the assessment of betterments for improvements to private ways in the town of Harwich (printed in House, No. 3869).

Veterans,—
tax abatements.

By the same member, for the same committee, on House, No. 2540, a Bill relative to tax abatements for disabled veterans (House, No. 3970).

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

Engrossed Bills.

Engrossed bills

Bills enacted.

Relative to private construction contracts (see Senate, No. 873) (which originated in the Senate); and

Authorizing the town of Hadley to grant 6 additional licenses of the sale of all alcoholic beverages and 6 additional licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3790, amended) (which 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.

Stow,—
land.

The Senate amendments of the House Bill relative to a conservation restriction in the town of Stow (House, No. 3474, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

House bills

Third reading bills.

Validating certain actions at the annual town meeting held in the town of Swampscott (printed in House, No. 3768) (its title having been changed by the committee on Bills in the Third Reading);

Relative to secured lending by the Federal Home Loan Bank (House, No. 3810) (its title having been changed by the committee on Bills in the Third Reading); and

To eliminate racial and ethnic health disparities in the Commonwealth (House, No. 3888);

Severally reported by the committee on Bills in the Third Reading to be correctly to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Recesses.

At twenty-eight minutes after eleven o'clock A.M., on motion of Ms. Gifford of Wareham (Mr. Kafka of Stoughton being in the Chair), the House recessed until half past one o'clock P.M.; and at four minutes after two o'clock the House was called to order with Mr. Kafka in the Chair. Recesses.

The House thereupon took a further recess, on further motion of Ms. Gifford, until half past two o'clock; and at eleven minutes after three o'clock the House was called to order with Mr. Kafka in the Chair.

Reports of Committees.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, ought NOT to pass, on a petition (accompanied by bill, House, No. 1433) of Kay Khan and others for legislation to prevent shackling and promote safe pregnancies for female inmates. Pregnant inmates,—shackling.

Under suspension of the rules, on motion of Mr. Markey, the report was considered forthwith.

The Ms. Khan of Newton then moved that the report be amended by substitution of the Bill relative to prevent shackling and promote safe pregnancies for female inmates (House, No. 1433), which was read.

The amendment was adopted; and the substituted bill, was referred, under Rule 33, to the committee on Ways and Means.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 1701) of Antonio F. D. Cabral and others for legislation to increase the minimum wage; and Minimum wage.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1772) of Martin J. Walsh and others relative to unemployment insurance; Unemployment insurance.

Under suspension of the rules, in each instance, on a motion of Mr. Conroy of Wayland, the reports were considered forthwith. Pending the question, in each instance, on acceptance of the reports, the petitions were recommitted, on further motions of the same member.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

At sixteen minutes after three o'clock P.M., on motion of Ms. Gifford of Wareham (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Sitting.