

JOURNAL OF THE HOUSE.

Monday, April 7, 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.

Papers from the Senate.

Tewksbury,—
land.

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant a sewer easement under certain land in the town of Tewksbury (Senate, No. 2082) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Ipswich,—
tax
abatements.

Authorizing the town of Ipswich to grant certain retroactive real estate tax abatements (Senate, No. 1910) (on a petition) [Local Approval Received]; and

Wilkinsonville
Water
District.

Authorizing the Wilkinsonville Water District to convey a certain parcel of land (Senate, No. 1995, amended in section 2, in line 32, by inserting after the figures: "22,000" the words "which shall be used to protect the Wilkinsonville Water District's water supply") (on a petition);

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.

Hardwick,—
sewer
extension.

A petition (accompanied by bill, Senate, No. 2081) of Stephen M. Brewer and Anne M. Gobi (by vote of the town) for legislation relative to the financing and construction of a sanitary sewer extension in the town of Hardwick, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Alexis
Baez,—
sick leave.

A petition of Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Alexis Baez, an employee of the Worcester Recovery Center and Hospital, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2088) was referred, in concurrence, to the committee on Public Service.

Military
projects,—
report.

A report of the Executive Office for Administration and Finance (under the provisions of Section 23 of Chapter 48 of the Acts of 2014) submitting its report relative to various contracts and associated costs on certain military improvement and expansion projects, was read for the information of the House; and returned to the Senate.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2011) of the House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3903), reported, in part, a Bill relative to unemployment insurance rates (House, No. 4036). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Unemployment insurance,— rates.

Mr. Kafka of Stoughton, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

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 following petitions;

Petition (accompanied by bill) of Joseph F. Wagner and others relative to taking or transmitting images of crime victims by first responders. To the committee on the Judiciary.

Crime victims,— images.

Petition (accompanied by bill) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Marcy L. Bray, an employee of the Department of Developmental Services. To the committee on Public Service.

Marcy L. Bray,— sick leave.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing the Nantucket mosquito control project (House, No. 760), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4035). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Nantucket mosquito control project.

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.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4035) was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill to create an annual Service and Volunteerism Day (Senate, No. 2071), be schedule for consideration by the House.

Volunteerism Day.

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

Domestic
violence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill enhancing protection for victims of domestic violence (Senate, No. 1897), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4034. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House; and it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending..

Burial
benefits.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing for burial benefits under the workers' compensation act (House, No. 3766), ought to pass with an amendment striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Section 33 of chapter 152 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the words ‘four thousand dollars’ and inserting in place thereof the following words:— 8 times the average weekly wage in the commonwealth as determined pursuant to subsection (a) of section 29 of chapter 151A.”

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House; and it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending..

Insurance,—
payments.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to notice of payment for services (House, No. 843).

Co-insurance
and
deductibles.

By the same member, for the same committee, on Senate, No. 436 and House, No. 841, a Bill related to collection of health care co-insurance and deductibles (House, No. 4024).

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

Military
installations,—
bond terms.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing the terms of certain bonds encouraging the improvement, expansion and development of military installations in the Commonwealth (printed in House, No. 3982).

Automobile
repairs,—
labor rates.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill requiring the Commissioner of Insurance to study the labor rates paid by auto insurers for the repair of damaged motor vehicles and the laws governing the repair of damaged motor vehicles (House, No. 844).

Division of
Banks.

By the same member, for the same committee, on a petition, a Bill establishing uniform enforcement provisions and making other changes applicable to certain licensees under the jurisdiction of the Division of Banks (House, No. 871).

- By the same member, for the same committee, on a petition, a Bill relative to certain actions and transactions before the Board of Bank Incorporation and the Commissioner of Banks (House, No. 872). Board of Bank Incorporation.
- By the same member, for the same committee, on a petition, a Bill relative to certain regulations of the Division of Banks (House, No. 874). Division of Banks.
- By the same member, for the same committee, on a petition, a Bill relative to confidentiality of examination reports of the Division of Banks (House, No. 877). Id.
- By the same member, for the same committee, on a petition, a Bill relative to the property and casualty actuarial opinion act (House, No. 878). Actuarial opinion act.
- By the same member, for the same committee, on a petition, a Bill relative to confidentiality in financial examinations (House, No. 879). Financial examinations.
- By the same member, for the same committee, on a petition, a Bill relative to public employer self-insurance (House, No. 883). Public employer self-insurance.
- By the same member, for the same committee, on a petition, a Bill further regulating consumer leasing (House, No. 890). Consumer leasing.
- By the same member, for the same committee, on a petition, a Bill protecting consumers from unsolicited loans (House, No. 908). Unsolicited loans.
- By the same member, for the same committee, on House, No. 853, a Bill relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 4025). Credit Union Share Insurance Corporation.
- By the same member, for the same committee, on House, No. 881, a Bill relative to credit for reinsurance requirements (House, No. 4030). Reinsurance requirements.
- By the same member, for the same committee, on House, No. 962, a Bill relative to credit union branching (House, No. 4031). Credit unions.
- By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on Senate, No. 1535 and House, Nos. 2874 and 2902, a Bill providing for disposition of surplus state real property based on smart growth land use policies (House, No. 2874). Surplus property,—smart growth.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to certain banking laws (House, No. 873). Banking laws.
- By Mr. Michlewitz of Boston, for the committee on Public Service, on a joint petition, a Bill authorizing the reinstatement of Richard L. Cross as a reserve police officer in the town of Southwick (House, No. 3852) [Local Approval Received]. Southwick,—Richard L. Cross.
- By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Christine Green, an employee of the Worcester Recovery Center and Hospital (House, No. 3957). Christine Green,—sick leave.
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.
- 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
- Designating June 14 as the birthday of the United States Army and June 9 as General Sylvanus Thayer Day (Senate, No. 1963); and General Thayer Day.

- Newton,—
park lands. Authorizing the temporary use of certain park lands in the city of Newton (Senate, No. 1991) [Local Approval Received]; and House bills
- Corrections officers. Relative to sons and daughters of corrections officers (printed as Senate, No. 1255);
- Elderly housing. Creating smoke free elderly housing units in the Commonwealth (House, No. 1157);
- Garagemen. Relative to overtime for garagemen (House, No. 1696);
- Workplace bullying. Addressing workplace bullying, mobbing, and harassment, without regard to protected class status (House, No. 1766);
- Municipal bonding. Extending municipal bonding terms for local infrastructure development programs (House, No. 1861);
- Official sculptor. Designating Cyrus E. Dallin as the official sculptor of the Commonwealth (House, No. 2812);
- Narcolepsy Day. To designate Narcolepsy Awareness Day (House, No. 2814);
- Gingham,—
state textile. Designating the gingham as the official textile of Massachusetts (House, No. 2862);
- Multiple system atrophy month. Officially making the month of March multiple system atrophy awareness month (House, No. 2865);
- Green Up Day. Relative to the annual observance of Green Up Day (House, No. 2895);
- Official cowboy. Designating Rex Trailer as the official cowboy of the Commonwealth (House, No. 2905);
- Springfield,—
city council. Providing for the term of office of the city council in the city of Springfield (House, No. 3478) [Local Approval Received];
- Rock song. Designating the song “Roadrunner” as the official rock song of the Commonwealth (House, No. 3573);
- Springfield,—
ward seats. Filling vacancies in ward seats of the city council by special election in the city of Springfield (House, No. 3696) [Local Approval Received];
- Springfield,—
reserve fund. Amending the Chapter 656 of the Acts of 1989 in the city of Springfield (House, No. 3875) [Local Approval Received]; and
- Stow,—
land. Relative to a certain parcel of land in the town of Stow (House, No. 3935) [Local Approval Received];
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Supplemental appropriations. The engrossed Bill making appropriations for the fiscal year 2014 to provide for supplementing a certain existing appropriation and for certain other activities and projects (see House, No. 4023), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Bill enacted. Subsequently, the noon recess having terminated, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bill enacted. The engrossed Bill establishing a sick leave bank for Cynthia Salsman, an employee of the Soldiers. Home in Massachusetts (see Senate,

No. 2029) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Scituate to establish the date for its annual town election (see House bill printed in House, No. 3911) (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. Bill enacted.

Engrossed bills

Exempting part-time call firefighters in the town of Athol from the civil service law (see Senate, No. 1930); Bills enacted.

Authorizing the board of selectmen to exempt certain eco-toilet installations from sewer connections and associated betterments in the town of Falmouth (see Senate, No. 1938);

(Which severally originated in the Senate); and

Relative to time share resale and transfer service providers (see House, No. 3613, 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.

The Senate amendment of the House Bill authorizing the granting of easements at Northern Essex Community College in the city of Haverhill (House, No. 3905, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence. Northern Essex Community College.

Senate bills

Designating a certain bridge in the town of Andover as the Andover Veterans of the Iraq and Afghanistan Wars Memorial Bridge (Senate, No. 1967); and Third reading bills.

Authorizing the town of Webster to issue five additional all alcoholic beverages [sic] to be drunk on the premises designated for use in the downtown's "Slum and Blight" Main Street area (Senate, No. 1990) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Authorizing the town of Dartmouth to establish an enterprise fund (House, No. 3623); and Id.

Relative to the Essex North Shore Agricultural and Technical School District (House, No. 3959);

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.



Recess.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Beaton of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed until the hour of three o'clock P.M.; and at nineteen minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Disproportionate
property tax
burdens.

The House Bill relative to broadened eligibility for relief from disproportionate property tax burdens (House, No. 2627), was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, it was referred, on motion of Mr. Cusack of Braintree, to the committee on Ways and Means.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at one o'clock P.M.

Next
sitting.

Representative Markey of Dartmouth then moved that when the House adjourns today, it do so in respect to the memory of Raymond S. Peck, a member of the House from Dartmouth from 1965 to 1980, inclusive; and the motion prevailed.

Accordingly, at twenty-four minutes before four o'clock P.M., on motion of Mr. Beaton of Shrewsbury (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at one o'clock P.M.