

JOURNAL OF THE HOUSE.

Thursday, May 8, 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.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, 3rd grade students from Saint Francis School of Weymouth. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Murphy of Weymouth. Saint Francis School of Weymouth.

Resolutions.

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

Resolutions (filed by Mr. Hill of Ipswich) honoring the Congregational Church of Topsfield on the installation of their forty-first minister; Topsfield,—minister.

Resolutions (filed by Mr. Calter of Kingston) congratulating Dominic J. Fiore on receiving the Eagle Award of the Boy Scouts of America; Dominic J. Fiore.

Resolutions (filed by Mr. Calter of Kingston) congratulating Steven Scott Ludwig on receiving the Eagle Award of the Boy Scouts of America; Steven Scott Ludwig.

Resolutions (filed by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) congratulating Devon Cormier on receiving the Eagle Award of the Boy Scouts of America; Devon Cormier.

Resolutions (filed by Mr. Parisella of Beverly) congratulating the Beverly High School hockey team on the occasion of its Division 2 championship; Beverly,—hockey team.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Elijah Eldredge on receiving the Eagle Award of the Boy Scouts of America; and Elijah Eldredge.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Albert S. Robinson on his retirement as the Wellesley Town Counsel; Albert S. Robinson.

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. Murphy of Weymouth, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Orders.

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

Health Care
Financing,—
extension of
time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Monday, June 30, 2014, within which to make its final report on current Senate documents numbered 287, 288, 291, 303, 503, 504, 511, 530, 540, 542, 550, 554, 556, 557, 1049, 1062, 1100, 1817, 1931, 1932, 1933, 2074, 2075, and 2076, and House documents numbered 76, 77, 120, 555, 846, 884, 1008, 1015, 1021, 1023, 1024, 1039, 1041, 1042, 1752, 1788, 1799, 1813, 1817, 1889, 1914, 1918, 1939, 1944, 1949, 1966, 1981, 1986, 2021, 2027, 2068, 2073, 2083, 2085, 2174, 3595, 3634, 3715, 3726, 3741, 3761, 3804, 3972, 3973, 3975, 3977, and 4024.

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

Petitions.

Hinsdale,—
recall
elections.

Representative Mark of Peru and Senator Downing presented a joint petition (accompanied by bill, House, No. 4064) of Paul W. Mark and Benjamin B. Downing (by vote of the town) for legislation to provide for recall elections in the town Hinsdale; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Propane gas,—
sale and use.

By Mr. Cantwell of Marshfield, a petition (subject to Joint Rule 12) of James M. Cantwell for legislation regulate fees relating to the sale and usage of propane gas.

Cast iron
pipelines.

By Mr. Fallon of Malden, a petition (subject to Joint Rule 12) of Christopher G. Fallon relative to cast iron pipelines.

Rare disease
council.

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux and Jay Livingstone for legislation to create a rare disease advisory council.

Tewksbury,—
land.

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli for legislation to authorize the Division of Capital Asset Management and Maintenance to lease a certain parcel of land to Strongwater Farm Therapeutic Equestrian Center, Inc.

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

Papers from the Senate.

Municipalities
and Regional
Government
committee,—
extension of
time for
reporting.

The Senate Order relative to granting the committee on Municipalities and Regional Government until Monday, March 31, 2014 within which to make its final report on Senate documents numbered 970, relative to local road safety (Senate, No. 2060) (having been approved by the committees on Rules of the two branches, acting concurrently), was considered forthwith, under suspension of the rules, on motion of Ms. Peake of Provincetown.

Pending the question on adoption of the order, the same member moved to amend it in line 2 by striking out the following: "Monday, March 31" and inserting in place thereof the following "Wednesday, May 21". The amendment was adopted.

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

The Senate Order relative to granting the committee on Veterans and Federal Affairs until May 1, 2014 within which to make its final report on Senate documents numbered 1692 and 1749, relative to veterans affairs (Senate, No. 2057) (having been approved by the committees on Rules of the two branches, acting concurrently), was considered forthwith, under suspension of the rules, on motion of Mr. Basile of Boston.

Veterans and Federal Affairs committee,—extension of time for reporting.

Pending the question on adoption of the order, the same member moved to amend it in line 2 by striking out the following: “Wednesday, May 1” and inserting in place thereof the following “Friday, May 16”. The amendment was adopted.

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

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 joint petition of David Paul Linsky and Karen E. Spilka for legislation to include public works employees for killed-in-the-line-duty benefits. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Public works employees,—death benefits.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the department of the Trial Court (House, No. 4056), be scheduled for consideration by the House.

Anne Marie McDonough,—sick leave.

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.

Subsequently under suspension of the rules, on motion of Mr. Collins of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and passed to be engrossed, its title having been changed by said committee to read: “An Act establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court.”.

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

Relative to local commissions on disabilities (Senate, No. 1985); and

Disabilities.

Authorizing the Wilkinsonville water district to convey a certain parcel of land (Senate, No. 1995, amended); and

Wilkinsonville water district.

House bills

Relative to the definition of a kennel (House, No. 272);

Kennels.

Relative to certain banking laws (House, No. 873);

Banking laws.

Relative to fire insurance (House, No. 958, changed);

Fire insurance.

Relative to firefighters [sic] cessation program (House, No. 2419);

Firefighters.

and

Somerset,—
treasurer-
collector.

Establishing an appointed town treasurer-collector in the town of Somerset (House, No. 4027) [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.

State
facilities,—
resident
safety.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to ensuring the safety of residents of facilities under the authority of the Department of Mental Health and the Department of Developmental Services (House, No. 141).

Seniors, etc.,—
technology.

By the same member, for the same committee, on a petition, a Bill relative to living at home with use of technology for people with disabilities and seniors (House, No. 150).

Disabled,—
assistance.

By the same member, for the same committee, on House, No. 151, a Bill relative to real lives (House, No. 4063).

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

Individuals
with
disabilities,—
protections.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill affirming inclusion of individuals with disabilities within civil rights protections and nondiscrimination provisions in the Commonwealth of Massachusetts (House, No. 144).

Gateway
cities,—
building
codes.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Resolve establishing a special commission to investigate and study relative to the application of building codes when existing structures in gateway cities are converted to a mixed-use development (House, No. 2200).

Natural
disasters,—
preparedness.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to preparedness for natural disasters (House, No. 3431).

Public
spaces,—
art.

By Ms. Atkins of Concord, for the committee on Tourism, Arts and Cultural Development, on a petition, a Resolve establishing a commission to study art in public spaces (House, No. 3000).

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

Placements,—
change
notices.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to provide notice to counsel of changes in a child's or a young adult's placement and other events (House, No. 117).

Children,—
sibling visits.

By the same member, for the same committee, on a petition, a Bill regarding sibling visits in child welfare cases (House, No. 118).

Disabled,—
protection.

By the same member, for the same committee, on a petition, a Bill clarifying the investigative powers of the Disabled Persons Protection Commission (House, No. 139).

Commercial
fishing,—
strategic plan.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill to strategically plan for the commercial fishing industry (House, No. 315) [Senator Ross dissenting].

Transit,—
job access.

By the same member, for the same committee, on a joint petition, a Bill relative to transit (House, No. 321) [Senator Ross dissenting].

- By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the Department of Fire Services Commission (House, No. 2119). Fire Services Department.
- By the same member, for the same committee, on a petition, a Bill relative to fire safety (House, No. 2130). Fire sprinkler inspections.
- By the same member, for the same committee, on a petition, a Bill relative to penalties for false distress calls (House, No. 2147). False distress calls.
- By the same member, for the same committee, on a petition, a Bill relative to vertical reciprocating conveyors (House, No. 2173). Elevator mechanics.
- By the same member, for the same committee, on a petition, a Bill relative to the possession of dangerous open flame devices (House, No. 2175). Open flame devices.
- By the same member, for the same committee, on a petition, a Bill relative to standards and qualifications for the position of fire chief or chief engineer in cities, towns, fire districts, or authorities (House, No. 2197). Fire chiefs, etc.,— qualifications.
- By the same member, for the same committee, on a petition, a Bill relative to amusement devices (House, No. 2203). Amusement devices.
- By the same member, for the same committee, on a petition, a Bill relative to the members of the Massachusetts National Guard (House, No. 3198). National Guard.
- By the same member, for the same committee, on a petition, a Bill relative to the inspection of the maritime safety and environmental protection of the Long Island Bridge (House, No. 3361). Long Island Bridge.
- By the same member, for the same committee, on House, Nos. 2143 and 3277, a Bill regulating secondary metals dealing (House, No. 4062). Secondary metals.
- By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to promote safety in the transportation of students (House, No. 3027). Students,— safety.
- By the same member, for the same committee, on a joint petition, a Bill to insure benefits through enhanced Selective Service registration (House, No. 3041). Selective service.
- By the same member, for the same committee, on a petition, a Bill relative to public-use airport pavement improvement (House, No. 3073). Airports,— pavement.
- By the same member, for the same committee, on a petition, a Bill relative to drivers education in public high schools (House, No. 3098). Driver's education.
- By the same member, for the same committee, on a petition, a Bill concening [sic] tunnel safety (House, No. 3107). Tunnel safety.
- By the same member, for the same committee, on a petition, a Bill addressing the issue of noise pollution along Route 290 in the town of Northborough (House, No. 3111). Northborough,— Route 290.
- By the same member, for the same committee, on House, Nos. 3110 and 3113, a Bill relative to Massachusetts drivers license information (House, No. 3113). Driver's licenses.
- By the same member, for the same committee, on a joint petition, a Bill to establish regional transit authority enterprise fund (House, No. 3119). Regional transit funds.
- By the same member, for the same committee, on a petition, a Bill to clarify farm plates (House, No. 3144). Farm plates.
- By the same member, for the same committee, on a petition, a Bill relative to truck inspections (House, No. 3166). Trucks,— inspections.

Taxicabs,—
access.

By the same member, for the same committee, on a petition, a Bill relative to providing improved access to taxicabs for persons with disabilities (House, No. 3368).

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

Disabled,—
endangerment.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to reckless endangerment of persons with disabilities (House, No. 122).

Babies,—
safe havens.

By the same member, for the same committee, on a petition, a Bill relative to the safe placement of newborn infants (House, No. 138).

Elevator
inspections.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to elevator inspections (House, No. 2115).

Autopsy
reports.

By the same member, for the same committee, on a petition, a Bill relative to the disclosure of autopsy reports (House, No. 2140).

Horse riders,—
helmets.

By the same member, for the same committee, on a petition, a Bill requiring the use of helmets for equine riders and drivers (House, No. 2158).

Mandatory
sentences.

By the same member, for the same committee, on a petition, a Bill relative to mandatory sentences for those committing an assault on a law enforcement officer (House, No. 3239).

Hidden
compartments.

By the same member, for the same committee, on a petition, a Bill relative to hidden compartments (House, No. 3240).

Dangerous
weapons.

By the same member, for the same committee, on a petition, a Bill relative to dangerous weapons (House, No. 3258).

Utility
vehicles.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to expand the move over law for utility vehicles (House, No. 3036).

Motorcycles,—
inspections.

By the same member, for the same committee, on a petition, a Bill relative to motorcycle inspections (House, No. 3055).

Westfield,—
bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the city of Westfield as the All Westfield Patriots Bridge (House, No. 3084).

Headlights,—
use.

By the same member, for the same committee, on House, Nos. 3088, 3092 and 3161, a Bill relative to the use of headlights (House, No. 3092).

Turnpike,—
signs.

By the same member, for the same committee, on a petition, a Bill relative to signs on the Massachusetts Turnpike (House, No. 3094).

Trucks, etc.,—
weight.

By the same member, for the same committee, on a petition, a Bill to exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 3150).

Agricultural
operations.

By the same member, for the same committee, on House, No. 3090, a Bill to enhance agricultural operations (House, No. 4061).

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

Emergency Measures.

Female
inmates,—
shackling.

The engrossed Bill to prevent shackling and promote safe pregnancies for female inmates (see Senate, No. 2063), 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.

The engrossed Bill establishing a sick leave bank for Michael J. Donoghue, an employee of the Norfolk County Sheriff's Office (see Senate, No. 2067), 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.

Michael J.
Donoghue,—
sick leave.

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.

The engrossed Bill relative to strengthening campaign finance reporting requirements (see House, No. 3760, amended), 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.

Campaign
finance
reporting.

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 4 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Christine Green, an employee of the Department of Mental Health (see House, No. 3957, amended), 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.

Christine
Green,—
sick leave.

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 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Marion to impose liens upon property for the collection of water bills (see House, No. 3605, amended);

Bills
enacted.

Authorizing the town of Stoneham to create a special fund for railroad right of way proceeds (see House, No. 3743); and

Authorizing the town of Stoneham to establish a special fund for the collection and disposal of trash (see House, No. 3744);

(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 amendments of the House Bill 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), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Dedham,—
liquor
licenses.

Third
reading
bill.

The Senate Bill authorizing the town of Oakham to continue the employment of fire chief Thomas Snay (Senate, No. 1999), 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.

Id.

The House Bill relative to advisory questions on ballots in the city of Newton (House, No. 3457) (its title having been changed by the committee on Bill in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

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.

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.