

JOURNAL OF THE HOUSE.

Wednesday, May 14, 2014.

Met at twelve minutes after twelve o'clock noon, 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.

Special Communications.

The Speaker being in the Chair,—

The following communication, together with returns of votes and schedules therein referred to, were received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

May 14, 2014.

To the Honorable House of Representatives:

Returns of
votes for
Representative
in the
Fifth Suffolk
District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the twenty-ninth day of April, 2014, for Representative in the General Court, 5th Suffolk District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

The communication was read; and, there being no objection, it was placed on file.

Order.

On motion of Mrs. Haddad of Somerset,—

Governor
notified.

Ordered, That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representative-elect Evandro C. Carvalho of the 5th Suffolk District is assembled in the Chamber of the House of Representative and is ready to take the oath and affirmation of qualification.

The Speaker then appointed Representatives Donato of Medford, Wong of Saugus, Story of Amherst, Poirier of North Attleborough, Vincent of Revere, Hunt of Boston, Moran of Boston, Sánchez of Boston, Beaton of Shrewsbury, Sannicandro of Ashland and Markey of Dartmouth as the special committee of the House.

Subsequently Mr. Donato of Medford, for the committee, reported that they had attended to the duties assigned to them, and that the Governor had stated that he would attend forthwith and administer the oaths of office.

Distinguished Guests.

The Speaker then announced that in attendance during the session were several distinguished guests, including Suffolk County District Attorney Daniel F. Conley, Senator Linda Dorcena Forry and former Representative Marie P. St. Fleur.

Distinguished guests.

Member Qualified.

Soon afterward His Excellency the Governor, Deval L. Patrick, accompanied by Auditor Suzanne M. Bump and members of the Honorable Council came in; the oaths and affirmation required by the Constitution and laws was administered by the Governor to Mr. Carvalho, and were subscribed by him; after which His Excellency declared that Mr. Carvalho was duly qualified to enter upon the discharge of his duties.

Representative Evandro C. Carvalho,— qualification.

His Excellency the Governor, the Auditor and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

Mr. Carvalho then addressed the House briefly; and was assigned to Seat No. 104 by the Speaker.

Appointment to a House Standing Committee.

The Speaker announced that, under the provisions of Rule 18A, he had appointed Representative Carvalho of Boston to the ninth position on the committee on Global Warming and Climate Change, to fill the existing vacancy.

Global Warming and Climate Change.

Appointment to a Joint Standing Committee.

The Speaker announced that, under the provisions of Rule 18A, he had appointed Representative Carvalho of Boston to the ninth position on the committee on the Judiciary, to fill the existing vacancy.

The Judiciary committee.

Statement Concerning Representative Koczera of New Bedford.

A statement of Mrs. Haddad of Somerset concerning Mr. Koczera of New Bedford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Koczera of New Bedford, is unable to be present in the House Chamber for today's sitting due to family business outside of the Commonwealth. His missing of roll calls today is due entirely to the reason stated. Bedford.

Statement concerning Mr. Koczera of New Bedford.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced United States Marine Corps Captain Alex Mora from Lynn, who served with honor in Afghanistan as a combat engineer.

United States Marine Corps Captain Alex Mora.

United States
Marine Corps
Captain Alex
Mora.

Captain Mora was accompanied by his sisters Enely and Jay, both of whom served as United States Marines. They were the guests of Representatives Fennell of Lynn, Ehrlich of Marblehead, Vincent of Revere and Wong of Saugus.

Resolutions.

Mr. Donato of Medford being in the Chair,—

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

Dmitri D.
Rusinak.

Resolutions (filed by Mr. Calter of Kingston) congratulating Dmitri D. Rusinak on receiving the Eagle Award of the Boy Scouts of America;

George E.
Williams III.

Resolutions (filed by Mr. Calter of Kingston) congratulating George E. Williams III on receiving the Eagle Award of the Boy Scouts of America; and

Nicholas J.
Williams.

Resolutions (filed by Mr. Calter of Kingston) congratulating Nicholas J. Williams on receiving the Eagle Award of 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. Rushing of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

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 Friday, June 27, 2014, within which to make its final report on current Senate documents numbered 216, 217, 220, 222, 224, 233, 243, 252, 259, 263, 269, 273, and 1957 and House documents numbered 331, 332, 334, 336, 354, 355, 359, 360, 361, 379, 384, 386, 390, 424, 445, 448, 463, 474, 480, 492, 493, 499, 502, 511, 516, 3287, 3291, 3306, 3421 and 3941.

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. Peisch, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Somerville,—
tax
exemption.

Representative Provost of Somerville and Senator Jehlen presented a joint petition (accompanied by bill, House, No. 4078) of Denise Provost, Patricia D. Jehlen and others (with the approval of the mayor and city council) that the city of Somerville be authorized to increase the residential real property exemption; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Maria
Blanciforte,—
sick leave.

By Mr. Basile of Boston, a petition (subject to Joint Rule 12) of Carlo Basile for legislation to establish a sick leave bank for Maria Blanciforte, an employee of the Department of Developmental Services.

By Ms. Harrington of Groton, a petition (subject to Joint Rule 12) of Sheila C. Harrington for legislation to establish a sick leave bank for Richard Brophrey, an employee of the Department of Unemployment Assistance.

Richard Brophrey,—
sick leave.

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

Papers from the Senate.

Bills

Designating a certain bridge in the city of Easthampton as the Korean War veterans memorial bridge (Senate, No. 1675) (on a petition);

Easthampton,—
bridge.

Establishing Ataxia awareness day (Senate, No. 2007) (on a petition); and

Ataxia day.

Authorizing the town of Chesterfield to continue the employment of police chief Gary Wickland (Senate, No. 2051) (on a petition) [Local Approval Received];

Chesterfield,—
Gary Wickland.

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.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2136) of Therese Murray, Viriato Manuel deMacedo and Randy Hunt (by vote of the town) for legislation to authorize the town of Plymouth to establish an 1820 courthouse fund. To the committee on Municipalities and Regional Government.

Plymouth,—
courthouse fund.

Petition (accompanied by bill, Senate, No. 2137) of James B. Eldridge and Jennifer E. Benson (by vote of the town) for legislation to manage the other post-employment benefits liability of the town of Harvard. To the committee on Public Service.

Harvard,—
post-employment benefits.

Petition (accompanied by bill, Senate, No. 2138) of James B. Eldridge and Jennifer E. Benson (by vote of the town) for legislation relative to community shared solar energy systems in the town of Harvard. To the committee on Revenue.

Harvard,—
solar energy.

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 following petitions:

Petition (accompanied by bill) of Garrett J. Bradley relative to parole hearings for persons convicted of second degree murder. To the committee on the Judiciary.

Parole hearings.

Petition (accompanied by bill) 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. To the committee on State Administration and Regulatory Oversight.

Tewksbury,—
land.

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

Workforce
reform.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill restoring the minimum wage and providing unemployment insurance reforms (Senate, No. 2123), ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4079 [being a duplicate of the text contained in House, No. 4026]; and striking out the title and inserting in place thereof the following title: "An Act relative to workforce reform." [being the title of House, No. 4026] [Representative Diehl of Whitman dissenting]. 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 Mr. Dempsey of Haverhill, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted; and the bill (Senate, No. 2123, amended) was ordered to a third reading.

Under suspension of the rules, on further motion of the same member, the bill was read a third time forthwith; and it was passed to be engrossed. Mr. Mariano of Quincy then asked that this vote be reconsidered and the motion was considered forthwith; and it was negatived.

The bill (Senate, No. 2123, amended) then was sent to the Senate for concurrence in the amendments.

Early
education.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill strengthening early support and education (House, No. 125),—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. Sent to the Senate for concurrence, insomuch as relates to the discharge of the committee.

Birth defects
prevention.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill relative to folic acid awareness and birth defects prevention (House, No. 2103, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4076) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Board of
registration,—
naturopathy.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Bill establishing a board of registration in naturopathy (House, No. 3674), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Aphasia,—
study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, that the Resolve providing for an investigation and study by a special commission relative to aphasia (House, No. 3455), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal
assurance fee
exemption.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill amending MGL 21E AND 310 CMR 4.03 (House, No. 3992).

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to insurance in the Commonwealth (House, No. 2779). State projects,— insurance.

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 waiving bank fees for the disabled (House, No. 961). Disabled,— bank fees.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, No. 1006, a Bill relative to the definition of autism in the childrens autism Medicaid waiver (House, No. 4075). Autism,— definition.

By Ms. Peake of Provincetown, for the committee Municipalities and Regional Government, on a petition, a Bill relative to the compensation of the Soldiers' Memorial Commission of the city of Holyoke (House, No. 4029) [Local Approval Received]. Holyoke,— Soldiers' Memorial Commission.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill streamlining municipal collection (House, No. 3994). Municipal collection.

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

Emergency Measure.

The engrossed Bill designating a certain underpass in the town of Mansfield as the Patrolman Walter P. Langley Memorial Underpass (see House, No. 3922, 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. Mansfield,— Walter P. Langley Memorial Underpass.

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 17 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Providing for sewer commissioners in the town Wareham (see Senate, No. 1856) (which originated in the Senate); Bills enacted.

Relative to the filing deadline for residential exemptions, personal exemptions and tax deferrals in the city of Boston (see House, No. 2603); and

Relative to the powers of the Boston Fair Housing Commission (see House, No. 3625);

(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.

Matter Discharged from the Orders of the Day.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1981; and inserting before the enacting clause an emergency preamble) of the House Bill relative to Elections,— early voting.

Elections,—
early
voting.

election laws (House, No. 3788), recommending that the House recede from its non-concurrence with the Senate in its amendments and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4072, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Murphy of Weymouth.

Conference
committee
report
accepted,—
yea and nay
No. 369.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 147 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 369 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Orders of the Day.

Third
reading
bill.

The House Bill establishing the position of appointed town treasurer-collector in the town of Somerset (House, No. 4027) (its title having been changed by the committee on Bills 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.

Second
reading
bills.

Senate bills
Amending the charter of the city known as the town of Greenfield (Senate, No. 2103); and
Further regulating town meeting notices (Senate, No. 2121); and
House bills
Relative to protecting consumers of the Commonwealth (House, No. 263, changed);
Relative to telemarketing solicitation (House, No. 285);
Relative to the Massachusetts Life and Health Insurance Guaranty Association law (House, No. 922);
Authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a parcel of land in the town of Plymouth (House, No. 3960);
Authorizing the town of Holliston to establish a department of public works (House, No. 3961);
Relative to unpaid sewer use charges in the city of Holyoke (House, No. 3962); and
To allow non-profits to purchase alcohol from retail package stores for charitable events (House, No. 4060);
Severally were read a second time; and they were ordered to a third reading.

Farmers'
markets.

The House Bill relative to farmers' markets (House, No. 3745), was read a second time.

Pending the question on ordering the bill to a third reading, Mr. Heroux of Attleboro moved to amend it in line 5 by striking out the words "at least two local" and inserting in place thereof the words "local area".

The amendment was adopted; and the bill (House, No. 3745, amended) was ordered to a third reading.

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. 4069), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Supplemental
appropriations.

After remarks on the question on passing the bill to be engrossed, Mrs. O'Connell of Taunton moved to amend it by adding the following section:

“SECTION 24. Notwithstanding any general or special law to the contrary, infants born addicted to drugs as a result of the use of illegal drugs by the birth mother during pregnancy shall be placed under the care and custody of the department of children and families and placed in an appropriate foster care home. The birth mother shall submit to treatment and random drug testing as a provision of the service plan. No infant or child shall be placed with a parent or guardian who has failed a drug test under the service plan.”

Pending the question on adoption of the amendment, Mr. Linsky of Natick moved to amend it by adding the following section:

“SECTION 25. Notwithstanding any special or general law to the contrary, the provisions of section 24 shall not take effect until such time as (i) the executive office of health and human services, in conjunction with the committee for public counsel services and the office of the attorney general, furnishes a study to the joint committee on children, families and persons with disabilities and the joint committee on judiciary detailing the practice of current policy with respect to service plans for parents whose children have been placed in the care of the department of children and families, including existing court mandated drug testing; the impact of the section upon the judicial system of the commonwealth due to increased appeals by parents; and the section's impact on the rights of individuals pursuant to Article XIV of the Constitution to due process under the law; the study shall also include a distributional analysis showing the impact on residents of varying income levels and the current practice of other states; and (ii) until legislation necessary to carry out any recommendations pursuant to the study has been filed with the General Court and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O'Connell of Taunton; and on the roll call 118 members voted in the affirmative and 31 in the negative.

Further
amendment
adopted,—
yea and nay
No. 370.

[See Yea and Nay No. 370 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mrs. O'Connell, as amended, then also was adopted.

Mrs. O'Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 26. Chapter 3 of the General Laws is hereby amended by inserting after section 38B the following section:—

Section 38B½. The committee on ways and means of each branch of the general court shall conduct no less than 6 public hearings on bills referred to them that purport to establish, increase or expand any

new or existing taxes or fees. The committees shall give 3 days' public notice prior to holding such public hearings. Each hearing shall be conducted in a distinct geographical region of the commonwealth."

Amendment
rejected,—
yea and nay
No. 371.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 31 members voted in the affirmative and 118 in the negative.

[See Yea and Nay No. 371 in Supplement.]

Therefore the amendment was rejected.

Mrs. O'Connell then moved to amend the bill by adding the following section:

"SECTION 26. Section 5A of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the figures '12' and inserting in place thereof the following figure:— 5."

Amendment
rejected,—
yea and nay
No. 372.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the Mrs. O'Connell of Taunton; and on the roll call 30 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 372 in Supplement.]

Therefore the amendment was rejected.

Mr. Diehl of Whitman then moved to amend the bill by inserting after section 6 the following section:

"SECTION 6A. Section 2 of chapter 38 of the acts of 2013 is hereby amended by inserting after item 1790-0350 the following item:—

**MASSACHUSETTS DEPARTMENT OF
TRANSPORTATION.**

1790-0351 For the purposes of clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws; provided, that a city or town shall comply with the procedures established by the Massachusetts Department of Transportation; provided further, that a city or town may appropriate for such projects amounts not in excess of the amount provided to the city or town pursuant to this item; provided further, that the appropriation shall be considered an available fund upon approval of the commissioner of revenue pursuant to section 23 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse a city or town pursuant to this item, subject to the availability of funds as provided in section 9G of chapter 29 of the General Laws, within 30 days after receipt by the department of a request for reimbursement from the city or town, which request shall include certification by the city or town that actual expenses have been incurred on projects eligible for reimbursement under this item and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with applicable laws and regulations and procedures established by the department; and pro-

vided further, that funds appropriated in this item shall not revert and shall be available for expenditure through June 30, 2015	\$100,000,000
Commonwealth Stabilization Fund.....	100%.”.

Pending the question on adoption of the amendment, Mr. Straus of Mattapoisett moved to amend it by adding the following section:

“SECTION 6B. Notwithstanding any special or general law to the contrary, the provisions of section 6A shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue and the department of transportation, have furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, the impact on the bond rating of the commonwealth due to the withdrawal from the Stabilization Fund for purposes that are otherwise funded by authorizing general obligation bonds of the commonwealth, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and ancillary economic activity to the joint committees on revenue and transportation and until legislation necessary to achieve the recommendations has been filed with the General Court and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Straus; and on the roll call 114 members voted in the affirmative and 33 in the negative.

Further amendment adopted,—yea and nay No. 373.

[See Yeas and Nays No. 373 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Diehl, as amended, then also was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 23, in line 135, by inserting after the following: “2014.” the following paragraph:

“Said deposit shall not occur until the executive office of health and human services conducts a review and provides the legislature with a report outlining the financial impact of the failed health connector website. The review shall include a cost analysis of state funds expended for temporary coverage, including those funds that would have been reimbursed by the federal government had the Connector website been properly functioning. Further, the executive office of health and human services shall investigate all means of recouping such funds, including any legal and cost effective means of collecting funds under the commonwealth’s contract with third-party vendors. The executive office of health and human services shall provide a report of their findings to the clerks of the house of representatives and senate, and the joint committee on health care financing.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 40 members voted in the affirmative and 110 in the negative.

Amendment rejected,—yea and nay No. 374.

[See Yeas and Nays No. 374 in Supplement.]

Therefore the amendment was rejected.

Supplemental
appropriations.

Mr. Dempsey of Haverhill then moved to amend the bill by striking out sections 7 to 21, inclusive (as published), and inserting in place thereof the following fifteen sections:

“SECTION 7. Item 4800-0015 of section 2 of chapter 38 of the acts of 2013 is hereby amended by striking out the words ‘; provided further, that the commissioner may transfer funds between items 4800-0038, 4800-0040 and 4800-0041 for services only, as necessary, under an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and no transfers shall be made for administrative costs’ and inserting in place thereof the following words:— ; provided further, that the commissioner may transfer funds among items 4800-0038, 4800-0040, 4800-0041, and 4800-0015; provided further, that the commissioner may transfer funds from items 4800-0038, 4800-0040, 4800-0041 and 4800-0015 to item 4800-1100.

SECTION 8. Item 7002-0012 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through September 1, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 9. Item 7009-6400 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 10. Item 7009-9600 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 11. Item 7035-0035 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 12. Item 7061-9404 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 13. Item 7061-9408 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 14. Item 7061-9412 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 15. Item 7061-9611 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 16. Item 7061-9804 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 17. Item 7066-0025 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’

and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 18. Item 7066-0040 of said section 2 of said chapter 38 is hereby amended by striking out the words ‘through August 31, 2014’ and inserting in place thereof the following words:— for programs or activities during the summer months.

SECTION 19. The salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff and Teamsters Local 122 shall be effective for the purpose of section 7 of chapter 150E of the General Laws.

SECTION 20. (a) Upon certification by the executive office for administration and finance, an amount of not more than \$65,000,000 equal to federal financial participation funds received shall be deposited in the Commonwealth Care Trust Fund. To accommodate the timing of federal revenue receipts after June 30, 2014 amounts that would be collected during the fiscal year 2014 accounts receivable period shall be deposited in the fund on a projected basis on June 15, 2014.

(b) The Commonwealth Care Trust Fund need not be in balance at the close of fiscal year 2014, but shall be in balance at the close of fiscal year 2015.

SECTION 21. (a) Notwithstanding chapter 334 of the acts of 1996 or any other general or special law to the contrary, control and custody of the William A. Hinton State Laboratory Institute located in the Jamaica Plain section of the City of Boston is transferred from the University of Massachusetts to the division of capital asset management and maintenance, effective July 1, 2014. After the effective date of that transfer, the division may assign the use of space within the property to 1 or more state agencies and may make expenditures and perform maintenance for the property that it considers reasonable and appropriate.

(b) Employees of the University of Massachusetts Medical School engaged in the maintenance and security of the facility known as the William A. Hinton state laboratory institute located in the Jamaica Plain section of the city of Boston shall be transferred to the division of capital asset management and maintenance effective July 1, 2014. The personnel administrator of the commonwealth, in consultation with the division of capital asset management and maintenance, shall complete a study of job titles of the former University of Massachusetts Medical School employees at the facility. The personnel administrator, in consultation with the division, shall determine the appropriate commonwealth job titles for former employees of the University of Massachusetts Medical School transferred to the division. Employees transferred to the division shall be placed in job titles as determined by the personnel administrator, and shall be paid wages and receive benefits consistent with the collective bargaining agreement governing those job titles. Such a transfer shall not impair the civil service status of any such transferred employee who immediately before the effective date of that transfer either held a permanent appointment in a position classified under chapter 31 of the General Laws or had tenure in a position by reason of section 9A of section 9A of chapter 30 of the General Laws.”

The amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 375.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 120 members voted in the affirmative and 29 in the negative.

[See Yea and Nay No. 375 in Supplement.]

Therefore the bill (House, No. 4081, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Ms. Peake of Provincetown was spread upon the records of the House, as follows:

Statement of
Ms. Peake of
Provincetown.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-one after 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 day at eleven o'clock A.M., in an Informal Session.