

JOURNAL OF THE HOUSE.

Tuesday, May 27, 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, 4th grade students from the Mary Stapleton School in Framingham. At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Mr. Sannicandro of Ashland. Framingham,—
Mary
Stapleton
School.

Resolutions.

Resolutions (filed with the Clerk by Mr. Smizik of Brookline) congratulating the third grade students at the Edward Devotion School in Brookline on their participation in the school's thirtieth annual JFK essay and poetry program entitled "What John F. Kennedy Means To Me", were referred, under Rule 85, to the committee on Rules. Brookline,—
Edward
Devotion
School.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Smizik, 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 Mr. Kocot of Northampton) 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 State Administration and Regulatory Oversight be granted until Thursday, May 29, 2014, within which to make its final report on current House document numbered 3917. State
Administration
and Regulatory
Oversight
committee,—
extension
of time for
reporting.

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

The following order (filed by Mr. Kocot of Northampton) 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 State Administration and Regulatory Oversight be granted until Wednesday, June 25, 2014, within which to make its final report on current House document numbered 4051. Id.

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

Papers from the Senate.

Quincy
College.

The House Bill relative to Quincy College (House, No. 3814, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2153.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Anne Marie
McDonough,—
sick leave.

The House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court (House, No. 4056), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 2 by inserting after the word "employee" the words "of the Dorchester division on the Boston municipal court department".

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Alexis
Baez,—
sick leave.

A Bill establishing a sick leave bank for Alexis Baez, an employee of the Department of Mental Health (Senate, No. 2154) (on Senate bill No. 2088), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

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

Bills

Route 116
scenic byway.

Relative to the state highway Route 116 scenic byway (Senate, No. 1656) (on a petition); and

North Adams,—
finances.

Relative to the financial condition of the city of North Adams (Senate, No. 2089) (on a petition) [Local Approval Received];

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.

Kyle
Melvin,—
sick leave.

A petition (accompanied by bill) of John F. Keenan and Bruce J. Ayers for legislation to establish a sick leave bank for Kyle Melvin, an employee of the Department of Correction, 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. 2155) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to abusive practices to change sexual orientation and gender identity in minors (House, No. 3907),— 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.

Minors,—
gender
identity.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham (Senate, No. 2124), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petersham,—
land.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith; and was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill granting, updating, and revising defense policies of the Commonwealth (printed in House, No. 3868), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4109). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Defense
policies.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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 was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill modernizing the banking laws and enhancing the competitiveness of state-chartered banks (House, No. 3881), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4110). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Banking,—
modernize.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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 was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the expansion of the Boston Convention and Exhibition Center (House, No. 3952), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4111) [Mr. Diehl of Whitman dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State

Boston
Convention
and
Exhibition
Center.

Boston
Convention
and
Exhibition
Center.

Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4059),— and the amendment recommended by the committee on Ways and Means, pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House, with the amendments pending.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4111) was ordered to a third reading.

Credit Union
Share
Insurance
Corporation.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 4025), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4112). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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 was ordered to a third reading.

Holyoke,—
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4033), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4113). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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 was ordered to a third reading.

Deer hunting,—
Sundays.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the use of bow and arrows for Sunday deer hunting (House, No. 4074), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4114). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of said rule, 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 was ordered to a third reading.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth (House, No. 4009), ought to pass with an amendment by substituting therefor a bill with the same title (House, No. 4119) [Bond Issue: General Obligation Bonds: \$1,655,625,000.00]. Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Environmental
bond bill.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill establishing an independent office of quality assurance for developmentally disabled persons (House, No. 152, changed in lines 1 to 8, inclusive, by striking out the text contained in those lines and inserting in place thereof the following: "The General Laws, as so appearing in the Official Edition of 2012, are hereby amended by inserting after chapter 19D the following chapter:— chapter 19E").

Quality
assurance
office,—
creation.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill requiring carbon monoxide alarms in all residential, governmental and commercial structures (House, No. 2124).

Carbon
monoxide
alarms.

By the same member, for the same committee, on a petition, a Bill relative to fire protection systems for buildings and structures (House, No. 2153).

Fire
protection
systems.

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

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill amending the periodic inspections of elevators and lifts (House, No. 2163, changed in line 3 by inserting after the word "feet," the words "not including material lifts").

Elevators,—
inspection.

By the same member, for the same committee, on a petition, a Bill requiring microphones and audio-recorders on tasers (House, No. 3315, changed by adding the following section:

Tasers,—
microphones
and audio-
recorders.

"SECTION 2. Subsection D of section 99 of chapter 272 of the General Laws is hereby amended by inserting, after paragraph 1 (f), the following paragraph:

(g) for a law enforcement officer, acting in the performance of his or her official duties, while clearly identified as a law enforcement officer to violate the provisions of this section. Notwithstanding this provision, law enforcement officers may not record inside a person's residence.").

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 Bill clarifying participation in athletic safety programs (House, No. 1982), be scheduled for consideration by the

Athletic
safety
programs.

Athletic safety programs.

House, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4097),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Ataxia.

The Senate Bill establishing Ataxia Awareness Day (Senate, No. 2007); and
House bills

Endangerment.

Relative to reckless endangerment of persons with disabilities (House, No. 122);

Bank fees.

Waiving bank fees for the disabled (House, No. 961);

Breast surgery.

Relative to patient access to information regarding breast reconstructive surgery (House, No. 1959);

Head injuries.

Relative to physician assistants and interscholastic athletic head injuries (House, No. 1983);

Hospital beds.

To eliminate antiquated hospital bed de-licensure rules (House, No. 2050);

Idling.

To exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 3150);

Compartments.

Relative to hidden compartments (House, No. 3240); and

Weapons.

Relative to dangerous weapons (House, No. 3258);

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 certain existing appropriations and for certain other activities and projects (see House, No. 4081, 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.

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 5 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Bill enacted.

The engrossed Bill relative to the town of Dennis Barrier Beach protection stabilization fund (see House, No. 3630) (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; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Grafton,—land.

The Senate amendments of the House Bill authorizing the Department of Fish and Game to exchange a parcel of land in the town of Grafton in return for the conveyance of other property in the same town

(House, No. 3775, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Senate bills

Authorizing the town of Milton to assess an additional amount of real estate and personal property taxes (Senate, No. 1872); Third reading bill.

Authorizing the city of Northampton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 1962, amended); and

Amending the charter of the city known as the town of Greenfield (Senate, No. 2103);

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, in concurrence.

The House Bill authorizing the city of Holyoke to issue additional licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (House, No. 4048) (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 passed to be engrossed. Sent to the Senate for concurrence. Third reading bill.

The House Bill authorizing the lease of air rights over a portion of a municipal off-street parking area in the town of Brookline (House, No. 3863) (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. Brookline,—air rights.

Pending the question on passing the bill to be engrossed, Mr. Smizik of Brookline moved to amend it by substitution of a bill with the same title (House, No. 4120), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At a quarter before twelve o'clock noon, on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before one o'clock P.M.; and at thirteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Petition.

Mr. DeLeo of Winthrop presented a petition (subject to Joint Rule 12) of Robert A. DeLeo and others for legislation relative to the reduction of gun violence; and the same was referred, under Rule 24, to the committee on Rules. Gun violence.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. DeLeo of Winthrop, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. Sent to the Senate for concurrence.

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.

At a quarter after one o'clock P.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.