

JOURNAL OF THE HOUSE.

Wednesday, June 18, 2014.

Met according to adjournment at eleven o'clock A.M., 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, members of the award winning Norton High School track team. Students from
Milton, North
Attleborough
and Norton.

At the invitation of the Chair, the students participated in the pledge of allegiance to the flag. They were the guests of Representative Barrows of Mansfield.

Later, Acting Speaker Donato introduced, seated in the Chamber, students from the Falls School in North Attleborough, the guests of Mrs. Poirier of North Attleborough, and 5th Grade students from the Cunningham School in Milton, the guests of Messrs. Timilty of Milton, Ayers of Quincy and Cullinane of Boston.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Seth Sweeney, winner of the 2014 New Bedford Idol Competition and Jayliana Brito, winner of the 2013 New Bedford Idol Competition. Seth and Jayliana then sang the National Anthem. Accompanied by the New Bedford Idol Committee, family, friends and Victoria Cabral, the daughter of Representatives Cabral of New Bedford, they were the guests of Representative Cabral, Markey of Dartmouth and Schmid of Westport. Seth Sweeney
and Jayliana
Brito,—
National
Anthem
sung.

Statement Concerning Representative Cronin of Easton.

A statement of Mr. Rushing of Boston concerning Ms. Cronin of Easton 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 Cronin of Easton, was unable to be present in the House Chamber for today's sitting due to a family medical concern. Had she been present for Yea and Nay Nos. 393, 394, 395, 400 and 401, she would have voted, in each instance, in the affirmative. Her missing of roll calls today was due entirely to the reason stated. Statement
concerning
Ms. Cronin
of Easton.

Statement Concerning Representative Fox of Boston.

A statement of Mrs. Haddad of Somerset concerning Ms. Fox of Boston 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 Fox of Boston, was unable to be present in the House Chamber for today's sitting because Statement
concerning
Ms. Fox
of Boston.

Statement concerning Ms. Fox of Boston.

she is outside of the Commonwealth speaking before the Executive Committee of the Conference of Black State Legislators. Had she been present, she would have voted in the affirmative on Yea and Nay Nos. 393 and 395. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Koczera of New Bedford.

A statement of Mr. Rushing of Boston concerning Mr. Koczera of New Bedford was spread upon the records of the House, as follows:

Statement concerning Mr. Koczera of New Bedford.

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 personal business outside of the Commonwealth. His missing of roll calls today is due entirely to the reason stated.

Statement of Representative Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

Statement of Mr. Rogers of Norwood.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of the sitting of Wednesday last due to official business in another part of the State House. Had I been present for the taking of Yea and Nay No. 389, I would have voted in the negative. My missing of said roll call was due entirely to the reason stated.

Petitions.

Petitions severally were presented and referred as follows:

Walpole,—liquor licenses.

By Representative Rogers of Norwood and Senator Timilty, a joint petition (accompanied by bill, House, No. 4190) of John H. Rogers, James E. Timilty and others (by vote of the town) that the town of Walpole be authorized to issue additional licenses for the sale of alcoholic beverages. To the committee on Consumer Protection and Professional Licensure.

Great Barrington,—charter.

By Representative Pignatelli of Lenox and Senator Downing, a joint petition (accompanied by bill, House, No. 4192) of William Smitty Pignatelli and Benjamin B. Downing (by vote of the town) relative to the board of selectmen-town manager form of government in the town of Great Barrington; and

Framingham,—acceptance of roads.

By Representative Walsh of Framingham and Senator Spilka, a joint petition (accompanied by bill, House, No. 4193) of Chris Walsh, Karen E. Spilka and others (by vote of the town) relative to providing a simplified procedure for municipal acceptance of subdivision roads in the town of Framingham;

Duxbury,—police.

Severally to the committee on Municipalities and Regional Government.

By Messrs. Cutler of Duxbury and Calter of Kingston, a petition (accompanied by bill, House, No. 4194) of Josh S. Cutler and Thomas J. Calter (by vote of the town) that the town of Duxbury be authorized to appoint special police officers in said town;

Conway,—David Johnson.

By Representative Kulik of Worthington and Senator Downing, a joint petition (accompanied by bill, House, No. 4195) of Stephen Kulik and Benjamin B. Downing (by vote of the town) that the town of Con-

way be authorized to continue the employment of police officer David Johnson; and

By Representative Rogers of Norwood and Senator Rush, a joint petition (accompanied by bill, House, No. 4196) of John H. Rogers and Michael F. Rush (by vote of the town) that the town of Norwood be authorized to appoint special police officers in said town;

Norwood,—
police
officers.

Severally to the committee on Public Service.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Bradley of Hingham and Senator Hedlund, a joint petition (subject to Joint Rule 12) of Garrett J. Bradley, Robert L. Hedlund and James M. Murphy relative to preserving a memorial to landing ship tanks in the town of Hingham.

Hingham,—
memorial.

By Mr. Cutler of Duxbury, a petition (subject to Joint Rule 12) of Josh S. Cutler for legislation to authorize licensed mental health counselors to hospitalize persons posing risk of serious bodily harm by reason of mental illness.

Mental health
counselors,—
hospitalizations.

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey relative to safety technology for firearms.

Firearms,—
safety.

By Mr. Heroux of Attleboro, a petition (subject to Joint Rule 12) of Paul R. Heroux for legislation to provide additional protection for minors from persons who have had a sex offense case that has been continued without a finding.

Minors,—
protection.

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

Reports of Committees.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill authorizing criteria for the release of terminally ill inmates to alternative locations of confinement (House, No. 1359). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Inmates,—
terminal
illness.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill to increase the use of community corrections in the supervision of criminal defendants and in the re-entry of incarcerated offenders (House, No. 1542).

Community
corrections.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on a petition, a Bill relative to establishing an appeals process for private sector human service workers (House, No. 1499).

Human service
workers,—
appeals
process.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on Senate, Nos. 2019 and 2030 and House, Nos. 2915, 2928, 2947 and 3901, a Bill relative to net metering and solar power (House, No. 4185).

Net
metering.

By the same member, for the same committee, on House, No. 2930, a Bill modernizing cell phone regulation and encouraging economic growth (House, No. 4186).

Cell phones,—
regulation.

By the same member, for the same committee, on House, No. 3968, a Bill relative to clean energy resources (House, No. 4187).

Clean energy.

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

Jurors,—
selection. By Mr. Markey of Dartmouth, for the committee on the Judiciary, on a petition, a Bill to repeal chapter 234 (House, No. 1373).

Justices of
the peace. By the same member, for the same committee, on a petition, a Bill relative to justices of the peace (House, No. 1386).

Shoplifting,—
penalties. By the same member, for the same committee, on a petition, a Bill to improve criminal laws relative to organized retail theft (House, No. 1474).

Witness
intimidation. By the same member, for the same committee, on a petition, a Bill relative to the intimidation of a witness statute (House, No. 1483).

High speed
chases. By the same member, for the same committee, on a petition, a Bill relative to high speed chases (House, No. 1500).

Adopted
children. By the same member, for the same committee, on a petition, a Bill making corrections to the adopted childrens [sic] act (House, No. 1540).

Summary
process
actions. By the same member, for the same committee, on a petition, a Bill to require verified complaints in summary process actions (House, No. 1655).

Eels and
elvers,—
fines. By the same member, for the same committee, on a petition, a Bill increasing the fine for the illegal taking of eels and elvers (House, No. 3782).

Somerville,—
tax
exemption. By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4078, a Bill relative to an increase in the exemption for residential real property in the city of Somerville from 30 per cent to 35 per cent (House, No. 4188) [Local Approval Received].

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

Reports

State agencies,—
insurance
procurement. Of the committee on Financial Services, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 2778) of Carlo Basile for legislation to authorize the combined procurement of owner controlled insurance programs by certain state agencies; and

Public funds,—
deposits. Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 2861) of David M. Nangle and Thomas A. Golden, Jr., for legislation to further regulate deposits of certain public funds;

Severally were considered forthwith, under suspension of the rules, in each instance, on motion of Mr. Barrows of Mansfield.

Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on motions of Mr. Costello of Newburyport.

Emergency Measure.

Petersham,—
land. The engrossed Bill authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham (see Senate, No. 2124), 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.

The engrossed Bill establishing a sick leave bank for Alexis Baez, an employee of the Department of Mental Health (see Senate, No. 2154), 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.

Alexis Baez,—
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 6 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Denise Frost, an employee of the Department of Developmental Service (see Senate, No. 2175), 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.

Denise
Frost,—
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 6 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Chesterfield to continue the employment of police chief Gary Wickland (see Senate, No. 2051) (which originated in the Senate); and

Bills
enacted.

Relative to the Pathfinder Regional Vocational-Technical High School District (see House, No. 3941, 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.

Recesses.

At ten minutes after eleven o'clock A.M., on motion of Mrs. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at that time House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mrs. Poirier of North Attleborough, until half past one o'clock; and at four minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

The House Bill relative to the expansion of the Boston Convention and Exhibition Center (House, No. 4111), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2196; and by inserting before the enacting clause the following emergency preamble:

Boston
Convention
and
Exhibition
Center.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate forthwith the issuance of certain bonds and provide for the expansion of the Boston convention and exhibition center, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience”.

Conference
committee.

Under suspension of the rules, on motion of Mr. Kocot of Northampton, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Messrs. Kocot, Kulik of Worthington and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be joined.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Minimum
wage.

The report of the committee of conference on the disagreeing votes of the two branches with reference to the House amendment of the Senate Bill restoring the minimum wage and providing unemployment insurance reforms (Senate, 2123), recommending passage of a bill with the same title (Senate, No. 2195), having been accepted by the Senate, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Conroy of Wayland.

Conference
Committee
report
accepted,—
yea and nay
No. 393.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 124 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 393 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Child sexual
abuse.

The House Bill extending the statute of limitations in civil child sexual abuse cases (House, No. 4126), report by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Lawn of Watertown.

Bill passed to
be engrossed,—
yea and nay
No. 394.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member (the Speaker being in the Chair); and on the roll call 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 394 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Domestic
workers bill
of rights.

Mr. Donato of Medford being in the Chair,—

The Senate Bill establishing a domestic workers bill of rights (Senate, No. 2132), report by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Conroy of Wayland.

Bill passed to
be engrossed,—
yea and nay
No. 395.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 126 members voted in the affirmative and 22 in the negative.

[See Yea and Nay No. 395 in Supplement.]

Therefore the bill was passed to be engrossed, in concurrence.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill relative to the sale of all alcoholic beverages to be drunk on the premises in the town of Topsfield (House, No. 4167) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Topsfield,—
liquor
license.

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.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to juvenile life sentences (House, No. 4184), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Juveniles,—
life
sentences.

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

Subsequently under further suspension of the rules, on motion of Mr. Markey of Dartmouth, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

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 5. Chapter 265 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 23, the following new section:—

Section 23½. (a) Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 13 years of age, shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 25 years. The sentence imposed on such person shall not be reduced to less than 25 years, or suspended, nor shall any person convicted under this subsection be eligible for probation, parole, work release or furlough or receive any deduction from his sentence for good conduct until he shall have served 25 years of such sentence.

(b) Whoever is convicted of a second offense of this section shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 40 years. The sentence imposed on such person shall not be reduced to less than 40 years, or suspended, nor shall any person convicted under this subsection be eligible for probation, parole, work release or furlough or receive any deduction from his sentence for good conduct until he shall have served 40 years of such sentence.

(c) Whoever is convicted of a third or subsequent offense of this section shall be punished by imprisonment in the state prison for life. No person convicted of a third offense of this section shall be eligible for parole. Prosecutions commenced under this section shall neither be continued without a finding nor placed on file.”

Mr. McMurtry of Dedham thereupon raised a point of order that the amendment offered by the lady from Taunton was improperly before the House for the reason that it was beyond the scope of the pending bill.

Point of
order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken [since the crime identified in the amendment was not contained in the text of the bill before the House, or its underlying basis], and the amendment was laid aside accordingly.

Appeal from
decision of
Chair.

Mrs. O'Connell thereupon appealed from the decision of the Chair, and the appeal was seconded by Mr. Diehl of Whitman.

The question then was put "Shall the decision of the Chair stand as the judgment of the House?"

Decision
of Chair
sustained,—
yea and nay
No. 396.

After remarks, the sense of the House then was taken by yeas and nays, at the request of Mr. Lombardo of Billerica; and on the roll call 115 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 396 in Supplement.]

Therefore the decision of the Chair was sustained.

Ms. Malia of Boston and other members of the House then moved to amend the bill in section 2, in line 43, by striking out the word, "ten" and inserting in place thereof the word, "five"; and the amendment was rejected.

Ms. Balsler of Newton and other members of the House then moved to amend the bill by adding the following section:

"SECTION 5. Said section 133A of said chapter 127, as most recently amended, is hereby further amended by inserting at the end thereof the following new paragraph:

If the prisoner is serving a life sentence for murder committed before his eighteenth birthday, the prisoner shall have the right to have appointed counsel at the parole hearing if deemed to be indigent and the right to funds for experts as determined by the standards under chapter 211D. Said board shall at least 90 days before such hearing notify the prisoner of these rights. Prior to the hearing, the parole board shall provide to the prisoner and his counsel, any and all documents to be considered by the parole board no later than 7 days prior to the hearing to allow adequate time for a written response if necessary. The parole board shall issue its decision no later than 60 days from the date of the hearing and shall provide a written decision that documents the basis for the decision."

The amendment was rejected.

Ms. Khan of Newton and other members of the House then moved to amend the bill in section 2, in lines 53 to 70, inclusive, by striking out the text contained in those lines;

By striking out section 4 and inserting in place thereof the following four sections:

"SECTION 4. Section 72B of chapter 119 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out paragraphs 1, 2, and 3, and inserting in place thereof the following paragraphs:—

Notwithstanding the provisions of section 2 of chapter 265, if a person is found guilty of murder in the first degree committed on or after his fourteenth birthday and before his eighteenth birthday, the juvenile court department shall commit the person to imprisonment in the state prison for life. The court shall fix the minimum term for any person committed to the state prison for life pursuant to this paragraph, which shall not be less than 18 years nor more than 22 years. Said person shall be eligible for parole under section one hundred and thirty-three A of chapter one hundred and twenty-seven when such person has served the minimum term as set by the court. Thereafter said person shall be

subject to the provisions of law governing the granting of parole permits by the parole board.

In determining the minimum term of incarceration for a life sentence, the court shall consider and make findings on the record regarding age-related considerations including, but not limited to: (1) the age at the time of the offense; (2) hallmark features of adolescence, including immaturity, impetuosity, and the ability to appreciate risks and consequences; (3) family and home environment prior to and at the time of the offense; (4) extent of said persons participation in the offense; (5) the impact of familiar and peer pressures; (6) history of prior felony convictions or adjudications; and (7) the potential for rehabilitation.

Any sentence imposed for offenses arising out of the same transaction and occurrence shall run concurrent with the governing sentence.

SECTION 5. Paragraph 4 of said section 72B of said chapter 119, as so appearing, is hereby further amended by striking out the word, ‘seventeenth’, where it so appears in the first and second instance, and inserting in place thereof the word:— twenty-first.

SECTION 6. Paragraph 5 of said section 72B of said chapter 119, as so appearing, is hereby further amended by striking out the words, ‘superior court’, where it so appears, and inserting in place thereof the words:— juvenile court department.

SECTION 7. Section 74 of chapter 119, as so appearing, is hereby amended by striking out paragraph 2.”;

In section 5, line 128, by inserting after the word “degree” the words “, except in the case of a prisoner serving a life sentence for murder who committed such offense prior to his eighteenth birthday”, and

In lines 132 to 140, inclusive, by striking out the text contained therein.

The amendments were rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 4, in line 140, by striking out the figures “25” and inserting in place thereof the figures “30”.

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 the same member; and on the roll call 33 members voted in the affirmative and 113 in the negative.

Amendment rejected,—
yea and nay
No. 397.

[See Yea and Nay No. 397 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones and other members of the House then moved to amend the bill by in section 4, in line 135, by striking out the figures “30” and inserting in place thereof the figures “35”.

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. Hill of Ipswich; and on the roll call 34 members voted in the affirmative and 112 in the negative.

Amendment rejected,—
yea and nay
No. 398.

[See Yea and Nay No. 398 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by striking out section 1.

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 the same member; and on the roll call 32 members voted in the affirmative and 115 in the negative.

Amendment rejected,—
yea and nay
No. 399.

[See Yea and Nay No. 399 in Supplement.]

Therefore the amendment was rejected.

Juveniles,—
life
sentences.

Mr. Markey of Dartmouth then moved to amend the bill in section 2, in lines 40 to 47, inclusive, and also in lines 84 to 91, inclusive, by striking out, the paragraphs contained in those lines and inserting in place thereof, in each instance, the following paragraph:

“After such hearing the parole board may, by a vote of two-thirds of its members, grant to such prisoner a parole permit to be at liberty upon such terms and conditions as it may prescribe for the unexpired term of his sentence. If such permit is not granted, the parole board shall, at least once in each ensuing ten year period, consider carefully and thoroughly the merits of each such case on the question of releasing such prisoner on parole, and may, by a vote of two-thirds of its members, grant such parole permit. If the parole board extends the parole period beyond five years, the prisoner shall have the right to petition the parole board once, in writing, after the expiration of five years, for reconsideration of the period of time before the prisoner is presented before the full board for a hearing.”

The amendments were adopted.

Mrs. Harrington of Groton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 5. There is hereby established a commission to study and determine the usefulness and the practicality of creating a developmental evaluation process in all cases of juvenile first degree murder. Such evaluation process would be used to determine the developmental progress and abilities of the juvenile offender at the time of sentencing and at the time of parole eligibility and would be utilized by the parole board for any future parole decision relative to the juvenile offender. In making recommendations, the commission shall establish factors to be analyzed in determining the developmental progress of the juvenile offender. The commission shall consist of the secretary of public safety and security or a designee, who shall serve as chair; the executive director of the Massachusetts office of victim assistance or designee; the commissioner of the department of mental health; the chief justice of the trial court or designee; the chief justice of the juvenile court or designee; the chief counsel of the committee for public counsel services or designee; the president of the Massachusetts District Attorneys Association or designee; one member of the senate, appointed by the senate president; one member of the senate, appointed by the senate minority leader; one member of the house of representatives, appointed by the speaker of the house; one member of the house of representatives, appointed by the house minority leader; and at least two individuals specializing in the child psychology and mental developments, to be appointed by the governor. The commission shall submit its report and findings, along with any draft of legislation, to the house and senate committees on ways and means, the joint committee on the judiciary, and the clerks of the house of representatives and the senate on or before December 31, 2014.”

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House taken by yeas and nays, at the request of Mr. Markey of Dartmouth; and on the roll call 129 members voted in the affirmative and 16 in the negative.

[See Yeas and Nays No. 400 in Supplement.]

Bill passed to
be engrossed,—
yeas and nays
No. 400.

Therefore the bill (House, No. 4184, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Collins of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House, and therefore was not recorded. If I had been present for the taking of the roll call, I would have voted in the affirmative.

Statement of
Mr. Collins
of Boston.

Engrossed Bill.

The engrossed Bill restoring the minimum wage and providing unemployment insurance reforms (see Senate, No. 2195) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Minimum
wage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 122 members voted in the affirmative and 24 in the negative.

Bill enacted,—
yea and nay
No. 401.

[See Yea and Nay No. 401 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate amendment of the House Bill relative to breast cancer early detection (House, No. 3733), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Breast cancer
early
detection.

The House Bill establishing a sick leave bank for Andrea Thomas, an employee of the Division of Capital Asset Management and Maintenance (House, No. 4177), 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. Sent to the Senate for concurrence.

Third
reading
bill.

Senate bills

Relative to liability coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 465);

Second
reading
bills.

Authorizing the town of Heath to continue the employment of Margo Ann Newton as police chief (Senate, No. 1789, amended);

Relative to the charter of the town of Bellingham (Senate, No. 2066);

Authorizing the town of Plymouth to establish an 1820 courthouse fund (Senate, No. 2136); and

House bills

Relative to the do not call list law to regulate certain charitable solicitations (House, No. 190);

Relative to use of shotguns (House, No. 711);

Relative to use of crossbows for hunting (House, No. 713);

Relative to advertising by a justice of the peace (House, No. 1362);

and

Providing for recall elections in the town of Hinsdale (House, No. 4064);

Several were read a second time; and they were ordered to a third reading.

House
report.

The House report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass, on the petition (accompanied by bill, House, No. 3874) of John M. McCaul (with the approval of the mayor and municipal council) that the city of Taunton be authorized to issue additional licenses for the sale of all alcoholic beverages and wine and malt beverages not to be drunk on the premises, was accepted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at six minutes before five o'clock P.M., on motion of Mrs. Gifford of Wareham (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.