

JOURNAL OF THE HOUSE.

Thursday, June 26, 2014.

Met at seven minutes after 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.

Resolutions.

Resolutions (filed with the Clerk Messrs. Cabral of New Bedford, Koczera of New Bedford, Straus of Mattapoisett, Markey of Dartmouth and Schmid of Westport) celebrating the Charles W. Morgan New Bedford homecoming; Charles W. Morgan homecoming.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Cabral of New Bedford, a petition (subject to Joint Rule 12) of Antonio F. D. Cabral for legislation to establish a sick leave bank for Anita Rebello, an employee of the Department of Children and Families. Anita Rebello,— sick leave.

By Mr. McMurtry of Dedham, a petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Athanasios Gougoulis, an employee of the Department of Developmental Services. Athanasios Gougoulis,— sick leave.

By Representative Toomey of Cambridge and Senator DiDomenico, a joint petition (subject to Joint Rule 12) of Timothy J. Toomey, Jr., and Sal N. DiDomenico for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Cambridge. Cambridge,— land.

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

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill relative to Article 6 of the town of Millis May 12, 2014 annual town meeting (printed in House, No. 4182). Millis,— town meeting.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to validating the actions taken at the May 6, 2014 annual town election held by the town of Warren (printed in House, No. 4183). Warren,— election.

Nantucket,—
funeral
regulations.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, No. 4104, a Bill exempting the town of Nantucket from the provisions of MGL and the code of Massachusetts regulations regarding funeral directors, embalmers, funeral homes, and crematories (House, No. 4227) [Senator Lovely dissenting] [Local Approval Received].

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

Judiciary,—
study.

By Mr. Markey of Dartmouth, for the committee on the Judiciary, on House, Nos. 9, 10, 20, 21, 27, 30, 31, 32, 33, 34, 35, 36, 37, 52, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1180, 1181, 1183, 1184, 1185, 1186, 1187, 1190, 1191, 1192, 1193, 1194, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1227, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1242, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1360, 1361, 1363, 1364, 1365, 1367, 1368, 1369, 1371, 1372, 1374, 1375, 1376, 1377, 1381, 1382, 1383, 1384, 1385, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1427, 1428, 1429, 1430, 1431, 1435, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1456, 1457, 1458, 1459, 1460, 1461, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1484, 1485, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1497, 1498, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1535, 1536, 1537, 1539, 1541, 1543, 1544, 1545, 1546, 1547, 1548, 1550, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1631, 1633, 1634, 1635, 1636, 1637, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1675, 1676, 1677, 1678, 1680, 1681, 1682, 1683, 1684,

1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 2101, 2102, 3230, 3294, 3295, 3311, 3351, 3352, 3353, 3393, 3394, 3427, 3428, 3572, 3596, 3691, 3746, 3749, 3798, 3824, 3865, 3886, 3910, 3924, 4077 and 4084, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the Judiciary (House, No. 4218). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 1288) of Marcos A. Devers, Barry R. Finegold and Frank A. Moran (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to establish a program for enforcement against illegal dumping; and

Lawrence,—
illegal
dumping.

Of the petition (accompanied by bill, House, No. 1456) of Jason M. Lewis and others for legislation to impose a penalty for the confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs;

Farm
animals,—
confinement.

And recommending that the same severally be recommitted to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on House, Nos. 1785, 1786, 1792, 1793, 1794, 1803, 1804, 1807 and 1814 an Order relative to authorizing the committee on Mental Health and Substance Abuse to make an investigation and study of certain House documents concerning mental health and substance abuse issues (House, No. 4210). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mental Health
and Substance
Abuse,—
study.

Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

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

Senate bills

Protecting abandoned animals in vacant properties (Senate, No. 942, changed and amended); and

Properties,—
animals.

Relative to the department of community development in the town of Ware (Senate, No. 2109) [Local Approval Received]; and

Ware,—
community
development.

House bills

- Fairhaven,—
public works. Relative to the town of Fairhaven restructuring the board of public works (House, No. 4128) [Local Approval Received];
- Fairhaven,—
administrator. Relative to the town of Fairhaven establishing the position of town administrator (House, No. 4129) [Local Approval Received];
- Southampton,—
elections. Validating the actions taken at the May 5, 2014 annual town election held by the town of Southampton (printed in House, No. 4161);
- Sherborn,—
funds. Providing [sic] for a town administrator in the town of Sherborn be authorized to approve warrants for the payment from town funds (House, No. 4168) [Local Approval Received];
- Sherborn,—
selectmen. Increasing the number of selectmen in the town of Sherborn from three to five members (House, No. 4169) [Local Approval Received];
- Blandford,—
tax collector. Relative to the collector of taxes in the town of Blandford (House, No. 4170) [Local Approval Received]; tax collector.
- Blandford,—
treasurer. Relative to the town treasurer in the town of Blandford (House, No. 4171) [Local Approval Received];
- Somerville,—
exemption. 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]; and
- Town
meetings. To exempt the deliberation of public bodies at town meeting from the open meeting law (House, No. 4208);
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

Senate bills

- Third
reading
bills. Relative to certain designations in the towns of Northbridge, Uxbridge, and Dudley (Senate, No. 1759, amended); and
- Relative to financing and construction of a sanitary sewer extension in the town of Hardwick (Senate, No. 2081);
- 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.

- Third
reading
bill. The House Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4113), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

- Medfield,—
land. The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Medfield (House, No. 4216), reported by the committee on Bills in the Third Reading be correctly, was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the conveyance of land in the town of Medfield, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4216, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at two minutes after two o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Engrossed Bills.

The engrossed Bill making certain appropriations for fiscal year 2015 before final action on the General Appropriation Bill (see House bill printed in House, No. 4217) (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. Bill enacted.

Ms. Garlick of Needham being in the Chair,—

The engrossed Bill relative to patient limits in all hospital intensive care units (see House, No. 4228) (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. Id.

Order.

Mr. Donato of Medford being in the Chair,—

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. Next sitting.

At twenty-seven minutes after two o'clock P.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M.