

JOURNAL OF THE HOUSE.

Thursday, September 4, 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).

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.

Message from the Governor.

Boston
Convention
and
Exhibition
Center,—
bonds.

A message for His Excellency the Governor recommending legislation relative to providing the terms of certain bonds financing the expansion of the Boston Convention and Exhibition Center (House, No. 4444), was filed in the office of the Clerk on Wednesday, September 3.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Resolutions.

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

Thomas J.
Costa.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Thomas J. Costa on receiving the Eagle Award of the Boy Scouts of America;

Marblehead,—
St. Michael's
Church.

Resolutions (filed by Ms. Ehrlich of Marblehead) congratulating Saint Michael's Church in the town of Marblehead on the occasion of its three hundredth anniversary;

Moin
Khwaja.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Moin Khwaja on receiving the Eagle Award of the Boy Scouts of America;

Liam C.
Gross.

Resolutions (filed by Ms. Hogan of Stow) congratulating Liam C. Gross on receiving the Eagle Award of the Boy Scouts of America;

John David
Ditmore.

Resolutions (filed by Mr. Roy of Franklin) congratulating John David Ditmore on receiving the Eagle Award of the Boy Scouts of America; and

Werner
Schmidt.

Resolutions (filed by Messrs. Turner of Dennis and Mannel of Barnstable) congratulating Werner Schmidt on the occasion of his one hundredth birthday;

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

Annual Report.

School
Building
Authority.

The annual report of the Massachusetts School Building Authority (under Section 3D of Chapter 70B of the General Laws) submitting its

fiscal year 2013 annual report containing financial statements relating to the operations, assets and expenditures of the authority maintained in accordance with generally accepted accounting principles so far as applicable and audited by an independent certified public accountant firm [copies of this report had been sent by said authority to the Speaker of the House of Representatives, the chairpersons of the House and Senate committees on Ways and Means, the House and Senate chairpersons of the joint committee on Education and other members of the General Court], was placed on file.

Communication.

A communication from the Massachusetts Capital Resource Company (see Section 12 of Chapter 816 of the Acts of 1977) submitting an annual report describing the formation and current status of said company [a copy was forwarded to the Speaker of the House as required by said law], was placed on file.

Capital Resource Company.

Papers from the Senate.

The House Bill filling vacancies in ward seats of the city council and school committee by special election in the city of Springfield (House, No. 3696), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 21 to 30, inclusive, striking out section 3 (contained in lines 21 to 30, inclusive, as published) and inserting in place thereof the following two sections:

Springfield,—
filling of vacancies.

“SECTION 2. Notwithstanding any general or special law to the contrary, the election commission of the city of Springfield may hold a special election to ascertain the will of the residents of Springfield, with concurrent polling hours as the state election. The election commission shall cause the following question to be placed on the ballot at the special election to be held on November 4, 2014. THIS QUESTION IS BINDING.

‘Shall the vacancies in ward seats of the city council and the school committee of the city of Springfield be filled by special election?’.

SECTION 3. If a majority of the voters casting a ballot on the question in section 2 vote in the affirmative, section 1 shall take effect on January 1, 2015.”.

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

A Resolve establishing a special commission on prisoner and correctional officer suicides (Senate, No. 1134, amended in line 42 by striking out the year “2014” and inserting in place thereof the year “2016”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Correctional officers and prisoners,—
suicide.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the Middlesex Canal Commission (House, No. 767, changed), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Middlesex Canal Commission.

Middlesex
Canal
Commission.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4408),— was adopted; and the substituted bill was ordered to a third reading.

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

Edgartown,—
town clerk.

Relative to the town clerk in the town of Edgartown (House, No. 4340) [Local Approval Received]; and

Split-screen
technology.

Relative to split-screen technology (House, No. 4419);

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Invasive
species,—
study.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 685 and 815, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning invasive species (House, No. 4439).

Emergency
responders,
etc.—
study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, Nos. 1726 and 1753, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning human services agencies and emergency responders (House, No. 4440).

Student
discipline,—
study.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on House, No. 3942, an Order relative to authorizing the committee on Higher Education to make an investigation and study of a certain House document concerning disciplinary proceedings in higher education (House, No. 4441).

Vacant
municipal
property,—
study.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on Senate No. 947 and House, No. 1882, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of a certain Senate and a certain House document concerning the disposal of municipally owned vacant property (House, No. 4442) [Senator Ross dissenting].

Transportation,—
study.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on Senate, Nos. 1634, 1637, 1638, 1641, 1642, 1645, 1646, 1650, 1652, 1654, 1655, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1665, 1666, 1667, 1668, 1669, 1671, 1673, 1674, 1676, 1680, 1684, 1685, 1688, 1689, 1690, 1691, 1693, 1696, 1697, 1698, 1699, 1700, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1715, 1716, 1721, 1722, 1723, 1724 and 1854 and House, Nos. 3003, 3004, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3022, 3026, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3037, 3038, 3039, 3043, 3045, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3065, 3066, 3069, 3071, 3072, 3074, 3075, 3076, 3078, 3079, 3080, 3081, 3082, 3083, 3085, 3087, 3089, 3091, 3095, 3096, 3100, 3102, 3103,

3104, 3105, 3106, 3108, 3109, 3114, 3115, 3116, 3117, 3120, 3121, 3122, 3123, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3145, 3147, 3148, 3149, 3151, 3152, 3155, 3156, 3157, 3159, 3160, 3162, 3163, 3164, 3165, 3167, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3283, 3284, 3301, 3325, 3370, 3371, 3406, 3407, 3470, 3489, 3546, 3755 and 3758, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning transportation issues (House, No. 4443).

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

Ms. Hogan of Stow, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

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

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to private roads in the town of Barnstable (House, No. 4409) [Local Approval Received].

Barnstable,—
private
roads.

By the same member, for the same committee, on a petition, a Bill relative to the funding of maintenance and improvements of private ways in the town of Barnstable (House, No. 4410) [Local Approval Received].

Barnstable,—
private
ways.

By the same member, for the same committee, on a joint petition, a Bill authorizing regularly-employed personnel in the City Clerk's Office in the city of Gardner to administer oaths and affirmations (House, No. 4394) [Local Approval Received].

Gardner,—
personnel.

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for John Gallagher, an employee of the Department of Youth Services (see Senate, No. 2358), 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.

John
Gallagher,—
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 8 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Anthony Gerniglia, an employee of the Department of Youth Services (see Senate, No. 2359), 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.

Anthony
Gerniglia,—
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Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Engrossed Bills.

Engrossed bills

Bills enacted.

Authorizing the town of Milton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2166) (which originated in the Seante); and

Relative to the sale of all alcoholic beverages to be drunk on the premises in the town of Topsfield (see House, No. 4167, 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.

Orders of the Day.

Harwich,—
charter.

The House Bill relative to the charter of the town of Harwich (House, No. 4220), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Peake of Provincetown moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Chapter 3 of the charter of the town of Harwich, as appearing in section 1 of chapter 18 of the acts of 2006, is hereby amended by striking out section 3-7-2 and inserting in place thereof the following section:—

Section 3-7-2. No member of the board of selectmen shall simultaneously hold any other appointive or elective town office, or any elected regional, county or state office.”.

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 4220, amended) then was 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 on Monday next at eleven o'clock A.M.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.