

JOURNAL OF THE HOUSE.

Monday, September 29, 2014.

Met according to adjournment 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.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating the Nashoba Valley Ski Area on the occasion of their fiftieth anniversary; and Nashoba Valley Ski Area.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating Leadingage Massachusetts on its sixtieth annual meeting; Leadingage,— meeting.

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

Papers from the Senate.

Bills

Exempting the police department of the town of Westwood from the civil service law (Senate, No. 1944) (on a petition) [Local Approval Received]; Westwood,— civil service.

To increase the number of all alcohol licenses for restaurants in the town of Arlington (Senate, No. 2177) (on a petition) [Local Approval Received]; Arlington,— liquor license.

Authorizing the town of Ipswich to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2279, amended in section 1, in lines 3, 4 and 5, by striking out the following: "the establishments known as Bunz Burger, located at 20 Mitchell Road in the town of Ipswich and Christopher DeStefano, located at 5 Depot Square in the town of Ipswich, Massachusetts" and inserting in place thereof the following: "an establishment located at 20 Mitchell road and to an establishment located at 5 Depot square") (on a petition) [Local Approval Received]; and Ipswich,— liquor licenses.

Authorizing Cary Gould to take the civil service examination for appointment as a police officer in the city of Gloucester notwithstanding the maximum age requirement (Senate, No. 2282) (on a petition) [Local Approval Received]; Gloucester,— Cary Gould.

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.

Joseph
Quinn,—
sick leave.

A petition (accompanied by bill) of Kenneth J. Donnelly and David M. Rogers for legislation to establish a sick leave bank for Joseph Quinn, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2375) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

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

Plainville,—
revenue.

The Senate Bill establishing a gaming revenue stabilization fund in the town of Plainville (Senate, No. 2354) [Local Approval Received];

House bills

Middleton,—
charter.

Relative to amending the Middleton town charter (House, No. 4451) [Local Approval Received]; and

Dartmouth,—
special
police.

Relative to the appointment of retired police officers as special police officers in the town of Dartmouth (House, No. 4458) [Local Approval Received];

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

House reports

Burlington,—
civil
service.

Of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4172) of Kenneth I. Gordon (by vote of the town) for legislation to exempt positions within the police department of the town of Burlington from the civil service law;

Andover,—
health care
benefits.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4173) of Frank A. Moran, James J. Lyons, Jr., and Barry R. Finegold (by vote of the town) that elected officials of the town of Andover be excluded from health care benefits provided by said town;

Merrimac,—
firefighters.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4223) of Leonard Mirra and Kathleen O'Connor Ives (by vote of the town) that the town of Merrimac be authorized to continue the employment of certain firefighters;

Merrimac,—
special
police.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4224) of Leonard Mirra and Kathleen O'Connor Ives (by vote of the town) that the town of Merrimac be authorized to appoint special police officers in said town; and

Renee
Brant,—
survivor
benefits.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4250) of Ruth B. Balsler, Kay Khan and Cynthia S. Creem relative to authorizing the State Retirement Board to increase the survivor benefits of Renee Brant, widow of the Honorable Jonathan Brant;

Severally were considered, under suspension of the rules, in each instance, on motions of Mr. Michlewitz of Boston.

Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on further motions of the same member.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, No. 4058, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning care and protection of children (House, No. 4494). Child protection,— study.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on Senate, Nos. 176, 193 and 196 and House, Nos. 311 and 4082, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of certain Senate and House documents concerning economic development matters (House, No. 4495) [Senator Ross, and Representatives DiNatale of Fitchburg, Vega of Holyoke, Gifford of Wareham and Kuros of Uxbridge, dissenting]. Economic development,— study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 4330, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House document concerning the Mohawk Trail Regional School District (House, No. 4496). Mohawk Trail School,— study.

By Ms. Benson of Lunenburg, for the committee on Health Care Financing, on House, No. 236, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of a certain House document concerning health care financing issues (House, No. 4497). Health Care Financing,— study.

By the same member, for the same committee, on House, Nos. 1023 and 1752, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain House documents concerning health care financing issues (House, No. 4498). Id.

By Mr. Conroy of Wayland, for the committee on Labor and Workforce Development, on House, No. 4260, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of a certain House document concerning exempting the town of Dennis from provisions of the prevailing wage law (House, No. 4499). Dennis,— study prevailing wage.

By Mr. Michlewitz of Boston, for the committee on Public Service, on House, No. 59, an Order relative to authorizing the committee on Public Service to make an investigation and study of a certain House document concerning retiree healthcare benefits reform issues (House, No. 4500). Retiree healthcare,— study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 4263 and 4287, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue issues (House, No. 4501) [Ms. Hogan of Stow dissenting]. Revenue,— study.

By the same member, for the same committee, on House, No. 4371, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document concerning revenue issues (House, No. 4502). Id.

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

Revenue,—
study.

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.

Emergency Measure.

Needham,—
bridge.

The engrossed Bill designating a certain bridge in the town of Needham as the Reverend (Lt.) Daniel J. Kennedy, USN Memorial Bridge (see Senate, No. 2170), 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.

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 sent to the Senate.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to the list of legal investments prepared by the Commissioner of Banks (see House, No. 3954, amended); and

Designating the last Tuesday of May as Southbridge Lions Club Bow Ties For Esophageal Cancer Awareness Day (see House, No. 4205);
(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.

Stoneham,—
liquor
license.

The engrossed Bill authorizing the town of Stoneham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3786, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rule 40
suspended.

Pending the question on passing the bill to be enacted, Mr. Speliotis of Danvers moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, the licensing authority of the town of Stoneham may grant up to 5 additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138; provided, however, that such licenses shall be issued to establishments that hold a common victualler’s license pursuant to section 2 of chapter 140 of the General Laws.

(b) A license granted pursuant to this act shall not be transferable to any other person, corporation or organization for a period of 3 years from the date of the original issuance.

(c) If a license granted pursuant to this act is revoked or no longer in use at the location of original issuance, it shall be returned physically, with all the legal rights and privileges pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location only under the same conditions as specified in this act; provided, that the new applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and all applicable taxes, fees and contributions have been paid.

SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Authorizing the board of selectmen of the town of Westport to borrow money for the payment of certain medical expenses for certain public safety personnel (Senate, No. 2193); and Third reading bills.

Authorizing the licensing authority of the city of Woburn to grant 6 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2280);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o’clock A.M. Next sitting.

At twenty minutes after eleven o’clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o’clock A.M., in an Informal Session.