

## JOURNAL OF THE HOUSE.

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Tuesday, November 12, 2013.

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.

### *Resolutions.*

Chanukah.

Resolutions (filed with the Clerk by Mr. Smizik of Brookline and other members of the House) commemorating the celebration of Chanukah 2013, were referred, under Rule 85, to the committee on Rules.

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.

### *Petition.*

Flood  
insurance.

By Mr. DeLeo of Winthrop, a petition (subject to Joint Rule 12) of Robert A. DeLeo, Martha Coakley (Attorney General) and others relative to the requirement of residential property owners to purchase or pay for flood insurance; and the same was referred, under Rule 24, to the committee on Rules.

### *Papers from the Senate.*

Wales,—  
recall  
elections.

The House Bill providing for recall elections in the town of Wales (House, No. 641), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 3, by inserting after the word "voters" the words "of the town of Wales"; in section 3, in line 24, by inserting after the word "certificate" the words " , either by hand or certified mail, return receipt requested", and in section 5, in line 41, by inserting after the word "election" the words "either by hand or certified mail, return receipt requested".

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Ludlow,—  
property  
lease.

The Senate Bill authorizing the lease of certain property in the town of Ludlow (Senate, No. 1769, changed in section 1, in line 1, by striking out the following: "section 16 of chapter 30B of the General Laws or", and, in line 2, by inserting after the word "contrary" the following: "but the subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws") [Local Approval Received], 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 bill be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

The Senate Bill relative to the town clerk in the town of Upton (Senate, No. 1855) [Local Approval Received]; passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Upton,—  
town  
clerk.

The House Bill relative to pharmacy practice in the Commonwealth (House, No. 3672, amended), came from the Senate with the endorsement that said branch had insisted on its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1907; and inserting before the enacting clause an emergency preamble) (in which the House had non-concurred).

Pharmacy  
practice.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Keenan, Brewer and Tarr had been joined as the committee on the part of the Senate.

Committee of  
conference.

#### *Reports of Committees.*

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to increase the annual stipend for members of the Commonwealth's hazardous material response teams (House, No. 667).

Hazardous  
material  
response  
teams.

By the same member, for the same committee, on a petition, a Bill to strengthen and expand the Board of Agriculture (House, No. 726).

Board of  
Agriculture.

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

By Mr. Murphy of Weymouth, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the results of the annual election held in the town of Ipswich on May 21, 2013 (printed in House, No. 3717).

Ipswich,—  
annual  
election.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain overpass in the town of Barnstable as the U.S. Navy SEAL Kevin A. Houston Veterans Memorial (House, No. 3101).

Kevin A.  
Houston.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the city of Revere as the Rita Singer Bridge (House, No. 3649).

Revere,—  
Singer  
Bridge.

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

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on House, No. 184, a Bill to reconcile Chapter 241 and Chapter 368 of the Acts of 2012 (House, No. 3757). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Right to  
repair,—  
corrective  
changes.

Right to repair,—  
corrective  
changes.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

Flexible  
supports  
oversight  
commission.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to creating a community based flexible supports oversight commission (House, No. 1805, changed), be scheduled for consideration by the House.

Placed in the Orders of the Day for the next sitting for a second reading, with an 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. 3710),— pending.

Psychologists,—  
training.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to acceptable health service training for psychologists (House, No. 1893), be scheduled for consideration by the House.

Placed in the Orders of the Day for the next sitting for a second reading, with an 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. 3731),— pending.

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:

Orleans,—  
liquor  
license.

Authorizing the town of Orleans to grant an additional liquor license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3622) [Local Approval Received];

Littleton,—  
land.

Relative to a land conveyance in the town of Littleton (House, No. 3642) [Local Approval Received];

Ashland,—  
town meeting.

Validating the results of the annual town meeting of the town of Ashland held on May 2, 2012 (printed in House, No. 3675); and

Biosimilars.

Relative to the substitution of interchangeable biosimilars (House, No. 3734);

Severally placed in the Orders of the Day for the next sitting for a second reading.

#### *Engrossed Bills and Resolve.*

##### Engrossed bills

Bills  
enacted.

Increasing the membership of the board of selectmen in the town of Southborough (see House, No. 3551); and

Authorizing the city of Revere to issue bonds or notes for the payment of a certain litigation settlement (see House, No. 3687);

(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.

Resolve  
passed.

The engrossed Resolve relating to the tribal-state compact between the Mashpee Wampanoag tribe and the Commonwealth of Massachusetts (see House resolve printed in House, No. 3376) (which originated

in the House), having been certified by the Clerk to be rightly and truly prepared for final passage was passed; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Senate bills

Authorizing the town of Topsfield to grant a license for the sale of wine to be drunk on the premises of a farmer-winery (Senate, No. 1790, amended); Third reading bills.

Exempting certain positions in the town of Millbury from the civil service laws (Senate, No. 1791);

Establishing a sick leave bank for Jason Saunders, an employee of the Department of Correction (Senate, No. 1875); and

Establishing a sick leave bank for Jessica Culver, an employee of the Department of Mental Health (Senate, No. 1888);

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.

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The House Bill establishing a sick leave bank for Anne Fiesinger, an employee of the Department of Conservation and Recreation (House, No. 3725), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Anne Fiesinger,—  
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Livingstone of Boston 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 establish forthwith a sick leave bank for a certain employee of the department of conservation and recreation, 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. 3725, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

Mr. Smola of Warren then moved that when the House adjourns today, it do so in respect to the memory of Frederic W. Schlosstein, Jr., a member of the House from Warren from 1965 to 1972, inclusive, and a member of the Senate from 1973 to 1976, inclusive; and the motion prevailed.

Accordingly at fourteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medfield being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.