

JOURNAL OF THE HOUSE.

Thursday, November 21, 2013.

Met at eight 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).

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.

Guests of the House.

Robert and
Chris DeCarlo
and Nicole
Lafauci.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced former Second Assistant Clerk of the House of Representatives Robert A. DeCarlo and his son Christopher DeCarlo. They were accompanied by Nicole Lafauci. The Chair then congratulated Christopher on being sworn in as a member of the Massachusetts Bar Association. They were the guests of the Speaker Deleo of Winthrop.

Resolutions.

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

Chabad of
Nashoba Valley.

Resolutions (filed by Mr. Arciero of Westford) commemorating the 2013 celebration of Chanukah by Chabad of Nashoba Valley;

John P.
Pritchard.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating John P. Pritchard on receiving the Eagle Award of the Boy Scouts of America;

Brockton,—
Petti's
Market.

Resolutions (filed by Representatives Brady of Brockton, Canavan of Brockton and Cronin of Easton) congratulating Petti's Market in the city of Brockton on the occasion of its one hundredth anniversary;

Maynard,—
Purple Heart.

Resolutions (filed by Ms. Hogan of Stow) commending the town of Maynard on becoming a Purple Heart town;

Alexander
Kyriakis.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Alexander Reed Kyriakis on receiving the Eagle Award of the Boy Scouts of America;

Evan Joseph
O'Connor.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Evan Joseph O'Connor on receiving the Eagle Award of the Boy Scouts of America; and

Small
business.

Resolutions (filed by Mrs. O'Connell of Taunton and other members of the House) recognizing the vital contributions of small business to local communities and the Commonwealth;

Mr. Binienda of Worcester, 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. Garballey of Arlington, 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.

A Bill to restore the minimum wage (Senate, No. 1925, amended in section 4, in line 16, by striking out the words “and announced” and inserting in place thereof the words “, announced and posted on the department’s website”, in said line, by striking out the word “April” and inserting in place thereof the word “October” and, in line 17, by striking out the word “July” and inserting in place thereof the word “January”; by inserting after section 5 the following section:

Minimum wage.

“SECTION 5A. Section 7 of said chapter 151, as so appearing, is hereby amended by striking out, in lines 30 and 31, the following words ‘the cash wage required to be paid such an employee on July 1, 1999’ and inserting in place thereof the following words:— 50 per cent of the minimum wage, established under section 1.”; in section 6, in line 21, by striking out the following: “and 5” and inserting in place thereof the following: “, 5 and 5A” and in said line by striking out the word “January” and inserting in place thereof the word “July”; in section 7, in line 22 and also in section 8, in line 23, by striking out the word “January” and inserting in place thereof, in each instance, the word “July”; and by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to strengthen forthwith the commonwealth’s minimum wage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.” (reported from the Senate committee on Ways and Means pursuant to Senate Rule 19), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

The Senate Bill establishing a sick leave bank for Cynthia Bouchard White, an employee of the Trial Court (Senate, No. 1937) (on Senate bill No. 1915), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Cynthia Bouchard White,— sick leave.

A report of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 150) of Bruce E. Tarr for legislation to recognize the independence of franchise operators,— and recommending the same be referred to the committee on Labor and Workforce Development,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Franchise operators.

A petition (accompanied by bill, Senate, No. 1930) of Stephen M. Brewer and Denise Andrews (by vote of the town) for legislation to exempt part-time call firefighters in the town of Athol from the civil service law, was referred, in concurrence, to the committee on Public Service.

Athol,— part-time call firefighters.

Reports of Committees.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill providing for direct care for dialysis patients (House, No. 1903).

Dialysis patients.

Podiatrists,—
registration.

By the same member, for the same committee, on Senate, No. 1071 and House, No. 1938, a Bill relative to the registration of podiatrists (House, No. 1938) [Senator Keenan dissenting].

Health care
facilities,—
patients.

By the same member, for the same committee, on Senate, No. 991 and House, No. 1969, a Bill relating to safe patient handling in certain health facilities (House, No. 1969).

Athletics,—
safety
programs.

By the same member, for the same committee, on Senate, No. 1077 and House, No. 1982, a Bill clarifying participation in athletic safety programs (House, No. 1982).

Head
injuries.

By the same member, for the same committee, on a petition, a Bill relative to physician assistants and interscholastic athletic head injuries (House, No. 1983).

Smoking,—
children.

By the same member, for the same committee, on a petition, a Bill to protect little lungs (House, No. 1984).

Trans fat
foods.

By the same member, for the same committee, on a petition, a Bill relative to foods containing artificial trans fat (House, No. 2007).

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Autism
commission.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 3321, a Bill permanently establishing a state autism commission (House, No. 3777). Read; and referred, under Joint Rule 29, to the committees on Rules of the branches, acting concurrently.

Sales of
alcohol,—
Sundays.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill permitting sales of alcohol on Sunday mornings (House, No. 228).

Belmont,—
liquor
license.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Belmont to grant licenses for the sale of alcoholic beverages not to be drunk on the premises (House, No. 3656) [Local Approval Received].

Burlington,—
liquor
licenses.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Burlington to grant additional alcoholic beverages licenses (House, No. 3688, changed in section 1, in line 2, by striking out the following: “eight (8)” and inserting in place thereof the figure: “8”; in section 2, in line 8 and also in line 11, by striking out the following: “(3)”, and, in line 14, by striking out the following: “(2)”; and in section 3, in line 20 and also in line 21, by striking out the following: “three (3)” and inserting in place thereof, in each instance, the figure: “3”) [Local Approval Received].

Beverly,—
liquor
licenses.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Beverly to issue additional liquor licenses (House, No. 3739) [Local Approval Received].

Check
cashing.

By the same member, for the same committee, on House, No. 223, a Bill creating a maximum allowable check-cashing rate (House, No. 3778).

Retirement
communities,—
alcohol.

By the same member, for the same committee, on House, No. 253, a Bill relative to retail licenses for the sale of all alcoholic beverages at continuing care retirement communities (House, No. 3779).

Belmont,—
liquor
licenses.

By the same member, for the same committee, on House, No. 3655, a Bill authorizing the town of Belmont to grant licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 3780) [Local Approval Received].

By the same member, for the same committee, on House, No. 3742, a Bill authorizing the town of Stoneham to grant five additional special liquor licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 3786) [Local Approval Received].

Stoneham,—
liquor
licenses.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill granting creditable service to employees of the Dedham Westwood water district (House, No. 2387) [Senator Brownberger dissenting].

Dedham
Westwood
water
district.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating a certain pedestrian bridge in the city of Boston as the Frances “Fanny” Appleton Bridge (House, No. 2904).

Boston,—
Appleton
bridge.

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

Emergency Measure.

The engrossed Bill authorizing the secretary of the Massachusetts Department of Transportation to convey and acquire certain parcels of land in the city of Beverly (see Senate, No. 1901), 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.

Beverly,—
land.

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.

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.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Barnstable to lease land for use as a for-profit museum (see House, No. 3521); and

Bills
enacted.

Authorizing the city of Springfield to exchange parcels of land (see House, No. 3784);

(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.

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

The following House bills, severally reported by the committee on Bills in the Third Reading to be correctly drawn, having been discharged from their position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. Kafka of Stoughton:

Authorizing the town administrator of Southborough to sign warrants (House, No. 3549);

Southborough,—
warrants.

Somerville,—
Mario
Oliveira.

Authorizing the Retirement Board of the city of Somerville to retire Mario Oliveira, a police officer of the city of Somerville (House, No. 3654) (its title having been changed by the committee on Bills in the Third Reading); and

Milford,—
treasurer.

Authorizing the Board of Selectmen of the town of Milford to appoint the Town Treasurer (House, No. 3740);

Severally were passed to be engrossed. Severally sent to the Senate for concurrence.

Governor's
Highway
Safety
Committee.

The House Bill adding motorcycle support to the Governor's Highway Safety Committee (House, No. 3046), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill relative to membership in the Governor's Highway Safety Committee (House, No. 3787); and the report was accepted.

The amendment was adopted; and the substituted bill was passed to be engrossed. 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 before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.