

# JOURNAL OF THE HOUSE.

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Wednesday, February 11, 2015.

Met at twenty-two minutes after eleven o'clock A.M., 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.

### *Silent Prayer.*

Howard A.  
"Howie"  
Prescott, Jr.

At the request of Mr. Cabral of New Bedford and the entire New Bedford delegation, the members, guests and employees stood in a moment of silent prayer in respect to the memory of Howard A. "Howie" Prescott, Jr. Mr. Prescott served in the Army during the Korean War, and was awarded two Bronze Stars. Born in New Bedford, Mr. Prescott lived in New Bedford all of his life. Mr. Prescott is survived by two sons, Shawn of Taunton and Timothy of Schenectady, N.Y.; two stepsons, Richard and William, both of New Bedford; two sisters, Shirley Baptiste and Eileen Antil, both of New Bedford; 11 grandchildren, a great-grandchild and several nieces and nephews.

### *Appointments of the Minority Leader.*

Assistant  
minority  
leaders and  
ranking  
minority  
party  
members.

Notice was received that the Republican Caucus had, this day, ratified appointments by the Minority Leader, under Rule 18, of Representatives Hill of Ipswich to the position of Assistant Minority Leader, Poirier of North Attleborough to the position of Second Assistant Minority Leader, Gifford of Wareham to the position of Third Assistant Minority Leader, Smola of Warren as the ranking minority party member on the committee on Ways and Means, Frost of Auburn as the Ranking minority party member on the committee on Rules, and Vieira of Falmouth as the ranking minority party member on the committee on Bonding, Capital Expenditures and State Assets.

### *Statement Concerning Representative Fox of Boston.*

A statement of Mr. Mariano of Quincy concerning Ms. Fox of Boston was spread upon the records of the House, as follows:

Statement  
concerning  
Ms. Fox  
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Fox of Boston, is unable to be present in the House Chamber for today's sitting due to previously scheduled appointments. Her missing of the roll call today is due entirely to the reason stated.

### *Recesses.*

Recesses.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at thirteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, until half past one o'clock; and at twenty-nine minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

*Remarks of Speaker DeLeo of Winthrop.*

The Speaker then took the Chair and made remarks to the members, guests, employees, and to the citizens of the Commonwealth, as follows:—

My colleagues, my friends, welcome. I'm so proud to speak with you today. Each day I reflect on the great obligations I have to you — my colleagues — my district and the state of Massachusetts.

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Speaker.

We begin each year with reflection and excitement. We reflect on our achievements and feel excitement about the serious tasks in front of us. Our unemployment rate is 5.5% down from 6.8% one year ago and we've added the most jobs since 2008.

The legislation we enacted last session has distinguished Massachusetts as a national leader. We forged consensus and passed gun safety legislation that makes mental health a factor in granting gun licenses, extends law enforcement discretion over rifles and helps bring uniformity to the licensing process. We expanded protections for victims of domestic violence. When a new federal flood insurance program threatened homeowners, we passed legislation to help safeguard our residents. And where Washington failed to act on an innovative savings plan to assist families affected by those with developmental disabilities, we took action. Together, we have elevated Massachusetts' national reputation and set the Commonwealth on a path for unrivaled success.

The House is proud that it has been a continuous champion of local aid. Over the past few years, we have taken early and comprehensive action to help cities and towns build a better future for themselves and the state. We stood up for the fiscal stability of municipalities. We will maintain that commitment in the work we do today. We will not cut local aid.

As the House Committee on Ways and Means begins its work preparing the 2016 budget, it's important that we remain committed to the working families of Massachusetts. We know many families' budgets are stressed to the limit. We will not add to that burden. For that reason, the budget plan that comes out of the House Committee on Ways and Means will contain no new taxes or fees.

As I do, I know many of you represent constituents whose lives have been upended because of the storms. We are each aware of how this unprecedented series of snowstorms has affected us all — especially those who rely on the MBTA. I've had numerous and early conversations with the Governor and the Senate President regarding public transportation. We will work together to fix this problem.

On behalf of the House, I'd also like to voice my sincere appreciation for all those who have spent the last week cleaning our streets, keeping us safe and helping us bounce back.

At pivotal moments like these, I look to the history of this House and its leaders for inspiration. One such leader for me is Tip O'Neill, who served as Speaker here before he was elected to Congress. Some 66 years ago, he addressed his colleagues from this very rostrum for

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the first time as Speaker. His priorities were clear. The state's "economy must be strengthened and made secure," he said. He vowed to take on "serious problems in many areas which vitally affect the welfare of our fellow citizens." And, as the first Democratic Speaker in Massachusetts history, he promised his "Republican colleagues the same courtesy and consideration which they extended to us over the past years."

As we move into the 189th session, we are again presented with the need to strengthen our state's economy, particularly in the regions outside Route 495. Serious problems — in substance abuse, behavioral health and energy — plague us. It is not just our hope to address these issues. It is our duty.

In the coming session we will reaffirm our commitment to economic success. We will look to support the innovative programs that are spurring growth in Boston and beyond. We are fortunate in Massachusetts to have unrivaled industries and academic centers. As we enter the economic and cultural crossroads that will mark the next decade in Massachusetts, these institutions will be the foundation for the next chapter of the innovation economy. We have the opportunity to position ourselves for national and global preeminence by focusing on biotech, clean energy, advanced manufacturing and healthcare IT. We must do more to foster and protect growth in the Commonwealth.

Speaking to you last year, I promised to expand what I call the circle of prosperity from beyond a ring around Greater Boston. I have been grateful to visit your hometowns. As I've traveled from district to district, I've had the chance to learn about the problems and the potential of our diverse regions. Thanks to you, I have visited more towns than I can count. You may have even heard my staff call Springfield the "Winthrop of the West".

As important as listening is — and I put a premium on it — it is not enough. Even as we face unforeseen fiscal circumstances, we will find inventive ways to extend our economic success to every corner of the Commonwealth. I've seen what many of these regions have to offer: the pockets of innovation, the entrepreneurs, the people who make Massachusetts work. But too often folks in Greater Boston don't know about them. I want to shine light on the successes throughout the state so that Massachusetts as a whole can prosper.

We will open the lines of communication between business leaders in your districts and the Legislature. We will reduce unnecessary regulatory barriers that businesses, large and small, and employees too often experience. We want to continue to attract the best and the brightest to Massachusetts, and we want to retain that talent and encourage individuals and businesses to give back to the economic and cultural fabric of this state.

Keeping talent here and strengthening the economy also require stable energy costs. High energy prices present a significant burden to working families, young residents and businesses.

While we are a national leader in promoting renewable energy and green jobs — ranking #1 nationally in energy efficiency for the fourth consecutive year — costs remain an issue. We have learned in recent years that our thriving clean energy industry not only creates jobs — some 88,000 — representing a \$10 billion industry, it helps bring down energy costs for ratepayers. Continued support for this thriving

sector is critical as we work to maintain a safe, reliable energy grid and reduce our carbon emissions. We will do this for the future of our children, the economic health of the state and the environment.

This session, I will look to find new ways to support cost-effective clean energy policies for ratepayers and help achieve our clean energy goals.

Central to a healthy economy, now and in the future is an educated workforce. Building on the achievements of the Ed Reform law, now more than two decades old, there's still work to be done.

We have long recognized that education doesn't start in elementary school and end at high school graduation: To that, I'm proud of our ongoing efforts to help make higher education more affordable for Massachusetts' students and their families including our community colleges which are playing an ever increasing role in training the workers of tomorrow.

In addition, we know the benefit of helping our youngest children. This session, we will devise our own plan to further provide early access to high quality programming for our youngest children. Not only is a renewed commitment to early education and care vital to the current economy by helping working parents—it's vital to our children's future.

A prosperous state demands a healthy one. Last session the House began its efforts to quell the tragic tide of substance addiction sweeping the Commonwealth. Because of the courageous collaboration of advocates and survivors, we knew where to focus our attention.

As you all know, that legislation significantly expanded access to treatment. What has garnered less attention though is that with this law Massachusetts became the first state to stop insurers from charging more for abuse deterrent medicines. It is my hope that this move will not only limit addiction in the future, but that it will encourage our innovation community to continue its unrivaled work in creating life-changing medicines.

Massachusetts has a storied history of innovation, and in a move to extend that tradition, I have appealed to the biotech community, asking for its collaboration in advancing our work on addiction. These companies play a crucial role in strengthening our economy. More importantly, they save lives. They have a vital role here. We will focus on education, prevention and building relationships with families and educators so we can tackle these problems early on.

The substance abuse bill is just an example of how we came together to respond to the unprecedented opiate crisis. But our work is not complete. Substance addiction and mental health issues often go hand-in-hand. We know that these costs can impact productivity.

They afflict people in every walk of life across the Commonwealth, and this session I hope to bring more focus on the behavioral health community in ways that address these intertwined areas.

We are fortunate in Massachusetts. We have a long and proud history. But we are not bound by it. We know that to advance our state in each new era, we have to prepare for it. By learning from our past, we can propel ourselves forward and upward to new heights. As we've seen over the past weeks the people of Massachusetts residents are strong. So too is our future. We will meet our challenges head on and

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Speaker.

we will prevail. Today, we tackle our budget problems with the responsibility and foresight the House is known for. Today we approach our work with renewed energy. Today we take the first bold step in what I'm sure will be a productive session.

Thank you. God bless America and God bless the Commonwealth of Massachusetts.

Mr. Mariano of Quincy moved that the remarks of the Speaker be spread upon the records of the House; and the motion prevailed.

*Report of a Committee.*

Budget  
shortfall.

Mr. Dempsey of Haverhill, for the temporary committee on Ways and Means, on a part of House, No. 49, a Bill addressing the fiscal year 2015 budget shortfall (House, No. 52), which was read.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and after remarks, it was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of Mr. Dempsey, the bill (having been certified by the House Counsel to be correctly drawn) was read a third time.

Bill passed to  
be engrossed,—  
yea and nay  
No. 22.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 155 members voted in the affirmative and 1 in the negative.

**[See Yea and Nay No. 22 in Supplement.]**

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

*Orders of the Day.*

House bills

Third  
reading  
bills.

Creating a sick leave bank for Robert Paterwic (House, No. 48);

Establishing a sick leave bank for David Ogar, an employee of the Massachusetts Department of Transportation (House, No. 50); and

Establishing a sick leave bank for Vickie Myers, an employee of the Department of Correction (House, No. 51);

Severally certified by the House Counsel to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 tomorrow at eleven o'clock A.M.

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At five minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.