

# JOURNAL OF THE HOUSE.

Monday, May 11, 2015.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Resolutions.*

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

Colin Boerger.

Resolutions (filed by Mr. Calter of Kingston) congratulating Colin Boerger on receiving the Eagle Award of the Boy Scouts of America;

Ryan Kelly.

Resolutions (filed by Mr. Calter of Kingston) congratulating Ryan Kelly on receiving the Eagle Award of the Boy Scouts of America; and

Thomas North.

Resolutions (filed by Mr. Calter of Kingston) congratulating Thomas North on receiving the Eagle Award of the Boy Scouts of America;

Mr. Galvin of Canton, 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. Frost of Auburn, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### *Communication.*

Tobacco products,—divestment.

A communication from the Pension Reserves Investment Management Board (see Section 23 of Chapter 32 of the General Laws) submitting a report listing all tobacco related investments and their book value as of December first 2014, was placed on file.

### *Annual Reports.*

#### *Annual reports*

Iran,—divestment.

Of the Pension Reserves Investment Management Board (under Section 6 of Chapter 232 of the Acts of 2010) relative to divestment from Iran restricted Securities; and

Sudan,—divestment.

Of the Pension Reserves Investment Management Board (under Section 4 of Chapter 151 of the Acts of 2007) relative to divestment from Sudan restricted Securities;

Severally were placed on file.

### *Petitions.*

The following additional petition (having been deposited in the office of the Clerk of the House, previously to five o'clock P.M., on Friday, January 16, 2015) was referred, under Rule 24 and Joint Rule 13, as follows:

By Mr. McMurtry of Dedham, a petition (accompanied by proposal, House, No. 3359) of Paul McMurtry and others for a legislative amendment to the Constitution relative to increasing the terms of office for Senators and Representatives in the General Court from two years to four years. To the committee on Election Laws. Sent to the Senate for concurrence. Constitution,—  
General Court  
terms of  
office.

Petitions severally were presented and referred as follows:

By Representative D'Emilia of Bridgewater and Senator Pacheco, a joint petition (accompanied by bill, House, No. 3360) of Angelo L. D'Emilia and Marc R. Pacheco (by vote of the town) that the town of Bridgewater be authorized to lease certain property to the Bridgewater Veterans of Foreign Wars; and Bridgewater,—  
property.

By Representative Fernandes of Milford and Senator Spilka, a joint petition (accompanied by bill, House, No. 3361) of John V. Fernandes, Karen E. Spilka and Jeffrey N. Roy relative to the taking of property by eminent domain by the Medway Redevelopment Authority. Medway,—  
eminent  
domain.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Kocot of Northampton, a petition (subject to Joint Rule 12) of Peter V. Kocot for legislation to establish a sick leave bank for Janet Maslowski, an employee of the Worcester County Superior Court. Janet  
Maslowski,—  
sick leave.

By Mr. Puppolo of Springfield, a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., and others for legislation to designate the Boston Cream Pie Cupcake as the official cupcake of the Commonwealth. Boston Cream  
Pie Cupcake.

Severally, under Rule 24, to the committee on Rules.

*Paper from the Senate.*

A petition (accompanied by bill, Senate, No. 1921) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to group health insurance for eligible retirees in the town of Carver, was referred, in concurrence, to the committee on Public Service. Carver,—  
health  
benefits

*Reports of Committees.*

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Michael S. Day for legislation to recognize reserve veterans as veterans in the Commonwealth. Under suspension of the rules, on motion of Mr. Frost of Auburn, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Sent to the Senate for concurrence. Reserve  
veterans.

By Mr. Fernandes of Milford, for the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1417) of Louis L. Kafka and James E. Timilty for legislation to authorize Paul Scott Noe, an employee of the Trial Court, to transfer his vacation benefits accrued Paul Noe,—  
benefits.

Paul Noe,—  
benefits.

during his time in the Norfolk County Sheriff’s Department,— and recommending that the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Schools,—  
epinephrine.

By Ms. Peisch of Wellesley, for the committee on Education, on a joint petition, a Bill relative to emergency stock epinephrine in schools (House, No. 415).

Child  
suicide,—  
study.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 513).

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

Schools,—  
improvement  
plans.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to school improvement plans (House, No. 391). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Reports of Committees on Proposals for Legislative Amendments to the Constitution.*

Reports of committees on proposals for legislative amendments to the Constitution, having been submitted to the Clerk of the Senate on Wednesday, April 29, 2015, received this day in the Office of the Clerk of the House, were spread upon the records of the House, as follows:

Constitution,—  
redistricting  
commission.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 51) of James B. Eldridge, Jason M. Lewis, Paul R. Heroux and Denise Provost for a legislative amendment to the Constitution to establish an independent redistricting commission,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
absentee  
ballots.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 52) of James B. Eldridge, Jason M. Lewis, Paul R. Heroux, Benjamin Swan and others for a legislative amendment to the Constitution relative to the removal of restrictions on absentee ballots,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
political  
spending.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 53) of Kenneth J. Donnelly, Chris Walsh, Benjamin B. Downing, Jason M. Lewis and other members of the General Court for a legislative amendment to the Constitution relative to corporate rights and political spending,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
redistricting  
commission.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 567) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution relative to creating an independent redistricting commission,— reported, in accor-

dance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 573) of Jay R. Kaufman and James M. Cantwell for a legislative amendment to the Constitution relative to vacancies in the office of Governor or Lieutenant-Governor,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
office  
vacancy.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 588) of David M. Nangle and Alice Hanlon Peisch for a legislative amendment to the Constitution relative to voting by qualified voters of the Commonwealth who are also poll workers,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
poll  
workers.

By Mr. Fernandes of Milford, for the committee on the Judiciary, on the petition (accompanied by proposal, Senate, No. 54) of Vincent Lawrence Dixon for a legislative amendment to the Constitution for term renewal process,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
term  
renewal.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 55) of Richard J. Ross for a legislative amendment to the Constitution to prohibit eminent domain,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senators Jehlen and Ross dissenting];

Constitution,—  
eminent  
domain.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 56) Bruce E. Tarr for a legislative amendment to the Constitution relative to the reform of the Executive Council,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senator Ross dissenting];

Constitution,—  
Executive  
Council.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 57) of Cynthia S. Creem, Jason M. Lewis and James B. Eldridge for a legislative amendment to the Constitution relative to the subject matter of initiative petitions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senators Brownsberger, Keenan, Chang-Diaz, Creem and Jehlen dissenting];

Constitution,—  
initiative  
petitions.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 933) of David M. Rogers, Paul W. Mark and others for a legislative amendment to the Constitution to declare rights afforded to the human inhabitants of the Commonwealth are not applicable to corporations, limited liability companies or any other corporate entities,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senators Creem and Jehlen and Representative Day of Stoneham dissenting];

Constitution,—  
corporations.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 1343) of Thomas A. Golden, Jr.,

Constitution,—  
judges.

Constitution,—  
judges.

and David M. Nangle for a legislative amendment to the Constitution relative to term limits for judges,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
eminent  
domain.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 1400) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution relative to prohibiting eminent domain takings,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
initiative  
petitions.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 1570) of Byron Rushing and others for a legislative amendment to the Constitution relative to the subject matter of initiative petitions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senators Chang-Diaz and Creem dissenting];

Constitution,—  
judges.

By the same member, for the same committee, on the petition (accompanied proposal, House, No. 1609) of Ellen Story for a legislative amendment to the Constitution relative to the retirement of judges,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass;

Constitution,—  
rainy day  
fund.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on the petition (accompanied by proposal, Senate, No. 61) of Bruce E. Tarr, Leonard Mirra, Viriato M. deMacedo, Donald F. Humason, Jr., and others for a legislative amendment to the Constitution to require a supermajority vote for the utilization of rainy day funds,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition, ought NOT to pass [Senator Tarr and Representatives Gordon of Bedford and Dubois of Brockton dissenting];

The reports were severally read and placed on file, in accordance with the requirements of said rule.

Voter,—  
qualifications.

Report of the committee on Election Laws, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 3350) of David M. Rogers and others for a legislative amendment to the Constitution relative to the right to vote for certain incarcerated felons,— under the provisions of Joint Rule 23, was place on file, the time for which said committee was required to report having expired.

### *Orders.*

Redistricting  
commission.

The following order (filed by Mr. Jones of North Reading) was adopted:  
*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to creating an independent redistricting commission (House, No. 567),— with reference to which the committee on Election Laws has reported that the amendment ought NOT to pass.

The following order (filed by Mr. Rogers of Cambridge) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to qualifications of voters (House, No. 3350),— with reference to which the committee on Election Laws has reported that the amendment ought NOT to pass (under Joint Rule 23)(the time for which said committee was required to report having expired).

Voter,—  
qualifications.

The following order (filed by Mr. Rogers of Cambridge) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution to declare that corporations are not people, money is not speech (House, No. 933),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass [Senators Creem and Jehlen and Representative Day of Stoneham dissenting].

Corporations,—  
speech.

The following order (filed by Mr. Golden of Lowell) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to the term of judicial officers (House, No. 1343),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Judicial  
officers,—  
length of term.

The following order (filed by Mr. Jones of North Reading) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to prohibiting eminent domain takings (House, No. 1400),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Eminent  
domain.

The following order (filed by Mr. Rushing of Boston) was adopted:

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to the subject matter of initiative petitions (House, No. 1570),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass [Senators Chang-Diaz and Creem dissenting].

Initiative  
petitions.

The following order (filed by Ms. Story of Amherst) was adopted:

Judges,—  
retirement.

*Ordered*, That the House of Representatives hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to the retirement of judges (House, No. 1609),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

*Engrossed Bill.*

Bill  
enacted.

The engrossed Bill relative to certain elections in the city of Newton (see House, No. 3324, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*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 twenty-eight minutes after twelve o'clock noon, on motion of Mr. Frost of Auburn (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.