

JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Met according to adjournment at 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).

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.

Order.

On motion of Mr. Binienda of Worcester,—

Ordered, That, Notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Straus of Mattapoisett, Kulik of Worthington and Howitt of Seekonk while they deliberate on the committee of conference on the disagreeing votes of the two branches on the transportation bond bill. Transportation
bill conferees,—
voting.

Resolutions.

Resolutions (filed with the Clerk by Representatives Fox of Boston and Malia of Boston) honoring Judge Edward R. Redd on his retirement from the Massachusetts Trial Court, were referred, under Rule 85, to the committee on Rules. Edward R.
Redd.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Mr. Sullivan of Fall River presented a petition (subject Joint Rule 12) of David B. Sullivan and Michael J. Rodrigues relative to designating a certain bridge in the city of Fall River in honor Army Specialist Scott A. Andrews; and the same was referred, under Rule 24, to the committee on Rules. Fall River,—
Andrews
bridge.

Reports of Committees.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (House, No. 4335) [Local Approval Received]. Maynard,—
land.

By the same member, for the same committee, on Senate, No. 639 and House, No. 2848, a Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (House, No. 4336) [Local Approval Received]. Id.

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

Maynard,—
land.

Mr. Kafka of Stoughton, for said committee, then reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the bills was read a second time forthwith; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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. Severally sent to the Senate for concurrence.

Recess.

Recess.

At eight minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at three minutes after two o'clock, the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Children,—
water
safety.

The Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4220) with further amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2404 and inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred option of this act would tend to defeat its purpose, which is to provide for, emergency service response of public utility companies, therefore it is hereby, declared to an emergency law, necessary for the immediate preservation of the public safety."

Under suspension of Rule 35, on motion of Ms. Andrews of Orange, the further amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Co-operative
Banks.

The House Bill relative to co-operative banks (House, No. 3806, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 423 and 424 striking out the words "commissioner of revenue" and inserting in place thereof the word: "treasurer".

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Ambulance
services.

The House Bill relative to payment for use of ambulance services (House, No. 3917), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2384.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill relative to certain conservation restrictions in the town of Canton (House, No. 4103), came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 2 inserting in place thereof the following four sections:

Canton,—
land.

"SECTION 2. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may amend a perpetual grant of rights, and perpetual conservation restrictions established by orders of taking of the metropolitan district commission, under the care and control of the department of conservation and recreation, for conservation, agricultural and natural resource purposes to the facilitate additional parking on the encumbered land presumed to be owned by Medical Information Technology, Inc., subject to any reasonable additional terms and conditions consistent with this act as the commissioner of capital asset management and maintenance and the commissioner of conservation and recreation may determine. The perpetual grant of rights is recorded in the Norfolk county registry of deeds in book 6420, page 144; and, the perpetual conservation restrictions were established by 2 separate orders of taking that are recorded in the Norfolk county registry of deeds in book 6427 at page 318 and page 324. The amended grant of rights and conservation restrictions shall be subject to the approval of the commissioner of conservation and recreation and shall ensure, at a minimum, (i) the continued protection of the conservation interests of the encumbered property, (ii) no increased development on the encumbered property other than additional parking for vehicles and (iii) a permanent, appropriate vegetative and treed buffer to screen the property from route 128.

SECTION 3. There shall be an independent appraisal of the instruments described in section 2, relative to the instruments as proposed for amendment, to determine the fair market value and the value in use as proposed in regard to the value of the property. Consideration for the amendment of the instruments shall be the fair market value, or the value in use, whichever is greater, in the increased appraised value of the underlying property, as determined by the commissioner of capital asset management and maintenance, to be paid by the owner of the land. The owner of the land shall assume all costs associated with engineering, surveys, appraisals, instrument preparation and other expenses considered necessary by the commissioner of capital asset management and maintenance to execute the amended instruments authorized by section 2. All consideration paid to the commonwealth as a result of sections 2 to 5, inclusive, shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws. As a condition of any amendment of the orders of taking, the owner of the property shall agree that no award of damages shall be due under chapter 79 of the General Laws; provided further, that the owner of the

Canton,—
land.

property shall execute a release and shall secure a release from any other person holding a legal or equitable interest in the property, in a form acceptable to the commissioner of capital asset management and maintenance, releasing the commonwealth and its employees from any claims, demands, interest or costs arising from or in consequence of the amended orders of taking under said chapter 79.

SECTION 4. The commissioner of capital asset management and maintenance shall submit each appraisal and a report thereon to the inspector general for the inspector general's review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology used for the appraisal. The inspector general shall prepare a report of the review and file the report with the commissioner of capital asset management and maintenance. The commissioner of capital asset management and maintenance shall submit the appraisal, report and the inspector general's review, approval and comments, if any, to the senate and house committees on ways and means and to the senate and house chairs of the joint committee on bonding, capital expenditures and state assets before the execution of the conveyances.

SECTION 5. To ensure a no-net-loss of lands protected for natural resource purposes, the property owner shall convey or cause to be conveyed to the commonwealth, or provide funding to department of conservation and recreation sufficient for such purposes, to acquire lands or interest in lands to be held by the department of conservation and recreation for conservation and recreation purposes. The land or interest in land, shall be of equal or greater resource value, as determined by the department of conservation and recreation, and shall be of greater or equal value than the increased appraised value of the underlying property. Any funds provided to the department of conservation and recreation under this section shall be deposited into in the Conservation Trust, established in section 1 of chapter 132A of the General Laws, to be expended to acquire lands or interests in land for conservation and recreation purposes." and

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 provide forthwith for the disposition of certain real property interests, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

Under suspension of Rule 35, on motion of Mr. Galvin of Canton, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Bills

Wine recorking.
Volunteer
firefighters.
Construction
contracts.
License
plates.

Relative to recorking of wine (Senate, No. 115) (on a petition);
To include call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187) (on a petition);
To ensure transparency of workforce participation in public construction contracts (Senate, No. 2386) (Senate bill No. 1568);
Relative to license plates in the Commonwealth (Senate, No. 2387) (on a petition);

Relative to the registration of podiatrists (Senate, No. 2396) (on Senate bill No. 1145);

Relative to the disclosure of political spending (Senate, No. 2397, amended by adding the following: "If an independent expenditure or electioneering communication is paid for by an entity that is not an individual, the advertisement or communication must contain a written statement with the words "For a listing of the contributors to this advertisement visit www.mass.gov/ocpf.", and 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 enhance transparency in campaign finance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a Senate bill No. 2375);

To improve quality physical education (Senate, No. 2398) (on Senate No. 2221);

Relative to creating a statutory housing restriction and providing remedies related to statutory housing (Senate, No. 2399) (on Senate, No. 587);

Relative to manufactured buildings (Senate, No. 2401) (on Senate bill No. 1566); and

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402) (on Senate, No. 2203);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Relative to coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 449) (on a petition); and

Increasing the number of dental hygienists on the Board of Registration of Dentistry (Senate, No. 2328);

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.

Reports of Committees.

Mr. Wagner of Chicopee, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), recommending passage of a bill with the same title (House, No. 4352). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wine recorking.
Volunteer
firefighters.
Construction
contracts.
License
plates.

Podiatrists.

Political
spending.

Physical
education.

Housing
restriction.

Manufactured
buildings.

Victims,—
housing
rights.

Property
insurance.

Dental
hygienists.

Economic
growth.

Brighton,—
land.

Brighton,—
land.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following House bills ought to pass:

Relative to health insurance benefits in the city of Lawrence (House, No. 3857); and

Relative to bullying in schools (House, No. 4063);
Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported, in each instance, that the matters be scheduled for consideration by the House.

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

Lawrence,—
health care.
Bullying.

Dams.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill further regulating dam safety, repair and removal (Senate, No. 1985, amended), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4345. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1985, amended) was ordered to a third reading.

Drug
addiction.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4346. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2125, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4347. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2126, amended) was ordered to a third reading.

Water
storage
facilities.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill to establish standards for long-term care insurance (Senate, No. 2359), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4348. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2359, amended) was ordered to a third reading.

Long-term
care
insurance.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to oral cancer therapy (Senate, No. 2363), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4349. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2363, amended) was ordered to a third reading.

Oral cancer
therapy.

By Mr. Dempsey of Haverhill, for the same committee, that the Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924), ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 4350). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Commission,—
child
suicide.

Commission,—
child
suicide.

Under suspension of Rule 7A, on motion of Mr. Kafka, the resolve was read a second time forthwith.
The amendment recommended by the committee on Ways and Means then was adopted; and the substituted resolve was ordered to a third reading.

Insurance,—
portable
electronics.

By Mr. Dempsey of Haverhill, for the same committee, that the Bill regulating portable electronics insurance (House, No. 3954), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4351). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Commission,—
state
agencies.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the following House bills ought to pass:

Establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs and services (House, No. 3607); and

Commission,—
colleges.

To form a commission on for-profit colleges, universities, and proprietary schools (House, No. 4085);

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

Emergency Measures.

Trust
companies.

The engrossed Bill relative to limited purpose trust companies (see House, No. 2040, amended), 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 9 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Canton,—
conservation
restrictions.

The engrossed Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, amended), 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 9 to 0. Sent to the Senate for concurrence.

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

Senate bills

Authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (Senate No. 2367, amended) [Local Approval Received]; and

New Bedford,—
land.

Relative to the conveyance of easements in the town of Sutton (Senate, No. 2369).

Sutton,—
easements.

Severally were discharged from their positions on the Calendar and read a second time, under suspension of Rule 47, in each instance, on motion of Mr. Dempsey of Haverhill; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338), was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Lawrence,—
land.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4338,— was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (Senate, No. 2338, amended) then was sent to the Senate for concurrence in the amendment.

The House Bill relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX (House, No. 2582) [Local Approval Received], was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Needham,—
land.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a Bill authorizing the Division of Capital Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (House, No. 4339),— was adopted; and the substituted bill was ordered to a third reading.

Needham,—
land.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4339) then was sent to the Senate for concurrence.

Halifax,—
land.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (House, No. 4320) [Local Approval Received], was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4340),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4340) then was sent to the Senate for concurrence.

South
Hadley,—
land.

The House Bill authorizing and directing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (House, No. 4322), was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4341),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4341) then was sent to the Senate for concurrence.

Shrewsbury,—
land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance [sic] to convey certain parcels of land in the town of Shrewsbury (House, No. 4333) [Local Approval Received], was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4342),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4342) then was sent to the Senate for concurrence.

The House Bill relative to student access to educational services and exclusion from school (House, No. 4131), was discharged from its position on the Calendar and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Intellectual
disability,—
definition.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4332),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Walz of Boston moved to amend it in section 10, in line 163, by inserting after the word "agencies" the words ", education collaborative"; and the amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by adding the following section:

"SECTION 11. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs associated with providing alternative education services pursuant to section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed pursuant to section 5A of chapter 71B of the General Laws."

The amendment was adopted; and the bill (House, No. 4332, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (Senate, No. 2154), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position on the Calendar and read a third time, under suspension of Rule 47, on motion of Mr. Bradley of Hingham; and it was passed to be engrossed, in concurrence.

Hingham,—
sewer
services.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Northborough to convey certain parklands to abutters (see House, No. 4075, 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.

Northborough,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 335.

[See Yea and Nay No. 335 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Truro,—
land.

The engrossed Bill authorizing the town of Truro to amend a certain conservation restriction (see House, No. 3919) (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.

Bill enacted
(land taking),
yea and nay
No. 336.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 336 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Lenox,—
land.

The engrossed Bill authorizing the change of use and the lease of certain land in town of Lenox for a solar powered generation facility (see House, No. 4277) (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.

Bill enacted
(land taking),
yea and nay
No. 337.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 337 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

Shirley,—
property.

The engrossed Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (see House, No. 4273, amended) (which originated in the House), 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 10 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 House) was put upon its final passage.

Bill enacted
(land taking),
yea and nay
No. 338.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 338 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the transfer of land in the town of Sharon (see House, No. 3794, amended) (which originated in the House), 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.

Sharon,—
land
transfer.

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 10 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yea and nay
No. 339.

[See Yea and Nay No. 339 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant to the city of Lowell easements over certain parcels of land (see Senate, No. 2233) (which originated in the Senate), 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.

Lowell,—
easements.

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 6 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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yea and nay
No. 340.

[See Yea and Nay No. 340 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (see Senate, No. 2250, amended) (which originated in the Senate), 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.

Worcester,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the

Worcester,—
land.

Constitution; and the preamble was adopted, by a vote of 8 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 put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 341.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 341 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Groton,—
land.

The engrossed Bill authorizing the town of Groton to convey a certain parcel of land to the Department of Fish and Game and place conservation restrictions on certain parcels of land (see House bill printed in House, No. 3886) (which originated in the House), 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 8 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 House) was put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 342.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 342 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Message from the Governor — Bill Returned with Recommendation of Amendment.

Sentencing
and law
enforcement
tool.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed relative to sentencing and improving law enforcement tools [see House, No. 3818, amended] (for message, see House, No. 4343) was filed in the office of the Clerk on Saturday, July 28.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O'Day of West Boylston, to the committee on Bills in the Third Reading.

Subsequently said committee reported recommending that the amendment recommended by the Governor be considered in the form as appearing in said message; and, there being no objection, the report was considered forthwith; and it was accepted.

After debate on the question on adoption amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 23 members voted in the affirmative and 132 in the negative.

[See Yea and Nay No. 343 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Governor's
amendment
rejected,—
yea and nay
No. 343.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the registration of motor vehicles and trailers [see House, No. 4238] (for message, see House, No. 4344), was filed in the Office of the Clerk on Friday, July 27.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to "reconsider" the said bill.

Under suspension of Rule 12, on motion of Mr. Fernandes of Milford, the bill was considered forthwith, the question being: "Shall the bill pass, notwithstanding the objections of His Excellency the Governor?"

After debate on the question on passing said bill, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by said Article of the Constitution; and on the roll call 135 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 344 in Supplement.]

Therefore the bill passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Vehicles and
trailers,—
registration.

Bill
passed over
Governor's
veto,—
yea and nay
No. 344.

Engrossed Bills — Land Takings.

The Speaker being in the Chair,— the engrossed Bill authorizing the exchange of land in the town of Rockland (see House bill printed in House, No. 4327) (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.

Pending the question on passing the bill to be enacted, Mrs. Nyman of Hanover offered remarks, which were ordered spread upon the records of the House, on motion of Mr. Fallon of Malden, as follows:

"Mr. Speaker, and through you to the Membership of this great House.

I rise for the purpose of delivering my Maiden Speech from Seat 114 for a reason very special to me:

Our daughter Kristy was born at 1:14 in the afternoon. Her late father, who had the honor of being an elected member of this House, sat in this same seat, seat 114, a seat held with great distinction by my predecessor, my dear departed husband, the late Bob Nyman.

Rockland,—
land.

Remarks of
Mrs. Nyman
of Hanover.

Remarks of Mrs. Nyman of Hanover.

Mr. Speaker, dear members, I humbly ask for your vote on this home rule petition that would transfer a parcel of land from the Rockland Parks Department to the town. Your vote is very special because it means that senior citizens from the town of Rockland, for generations to come, will have a long-awaited and much-needed senior center.

And what's special to me and my family is that not only is this center a new home for our seniors, but also because my constituents, the people of Rockland, the very people Bob loved so much, have loved him back by naming the new center the 'Robert J. Nyman Memorial Senior Center'.

I would like to thank my family for all the love and support that they have given me throughout this process, especially my two daughters, Kristy and Kara.

I'd also like to thank my legislative aide, Lauren Scribi, for working so diligently on this bill.

In closing, Mr. Speaker, just one more thank you: to every member of this House. Because your vote will forever provide the land that will be the homestead for thousands of senior citizens now and for future generations.

And my gratitude this day comes from my heart, because Bob and I not only share the same seat and office here at the State House, but also shared the vision for a senior center at home.

I could not have known then that life's journey would ever lead me back to his office as his successor.

In that special office, Bob would often look out the window where you can see a perfect view of the Golden Dome.

And he would always say to me: 'Isn't that Golden Dome beautiful?' But, along the way, we both discovered that the true beauty of the State House is not found within the gilding atop the Dome, the true beauty will forever be found beneath it, the men and women each day working for the People and that true beauty is you: the members of the Massachusetts House of Representatives. Thank you."

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 345 in Supplement.]

Therefore the bill was passed to be enacted; (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Bill enacted (land taking),—yea and nay No. 345.

Brighton,—Daly Field.

Mr. Donato of Medford being in the Chair,— the engrossed Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Consti-

Bill enacted (land taking),—yea and nay No. 346.

tution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 346 in Supplement.]

Therefore the bill was passed to be enacted; (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (see Senate No. 2367, amended) (which originated in the Senate), 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.

New Bedford,—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 40 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 347.

[See Yea and Nay No. 347 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4225) to the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), recommending passage of a bill with the same title (Senate, No. 2395), came from the Senate with the endorsement that it had been accepted by said branch.

Competitively priced electricity.

[Attached to the report was an errata containing the following changes:— In line 765 by striking out the figures "713" and inserting in place thereof the figures "723"; and by adding the following section:

"SECTION 59. Section 56 shall take effect on December 31, 2014.".]

Under suspension of the rules, on motion of Mr. Keenan of Salem, the report was considered forthwith.

After debate on the question on acceptance of report, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan; and on the roll call 149 members voted in the affirmative and 6 in the negative.

Conference committee report accepted,—yea and nay No. 348.

[See Yea and Nay No. 348 in Supplement.]

Therefore the report was accepted, in concurrence.

Engrossed Bills.

Engrossed bills
 Bills enacted. Further regulating animal control (see Senate, No. 2192, amended) (which originated in the Senate);
 Relative to the exchange of certain land in the town of Truro (see House, No. 3312, amended);
 Relative to co-operative banks (see House, No. 3806, amended);
 Relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4187);
 Authorizing the Massachusetts Water Resources Authority to convey certain land to the city of Chelsea without a restriction on its use (see House, No. 4202); and
 Establishing a temporary workers right to know (see House, No. 4304, amended);
 (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.

Emergency Measures.

Sutton. The engrossed Bill relative to the conveyance of easements in the town of Sutton (see Senate, No. 2369) (which originated in the Senate), 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 46 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 put upon its final passage.
 On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 349 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Sentencing. The engrossed Bill relative to sentencing and improving law enforcement tools (see House, No. 3818, amended), 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 60 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 House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (see Senate, No. 2154, amended), 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. Weymouth and Hingham, sewer services.

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 64 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.

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. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-five minutes before seven o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Met according to adjournment at 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.

Messages from the Governor.

Heath—validate election.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 annual town meeting in the town of Heath (House, No. 4353), was filed in the office of the Clerk on Monday, July 30, 2012.

The message was read; and it was referred, under Rule 30, to the committee on Election Laws. Sent to the Senate for concurrence.

Westminster—validate its.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (House, No. 4354), was filed in the office of the Clerk on Monday, July 30, 2012.

The message was read; and it was referred, under Rule 30, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Silent Prayer.

Westfield Police Officer Jose Torres.

During the session, the Speaker took the Chair and, at the request of Mr. Humason of Westfield, the members, guests and employees stood in a moment of silent tribute to the memory of Officer Jose Torres, a twice-decorated, 27 year veteran of the Westfield Police Department.

Officer Torres was killed on July 26 when he was accidentally struck by a dump truck while working a detail at a construction site in Westfield. He was 53 years old.

Officer Torres leaves his wife Kara, his two sons Jay and Christopher, his mother Maria, his brother Jesus Torres, Jr. and his fiancée Cindy Alamed, his sister Idalia Torres, his brother Daniel Torres and his wife Sandra, his mother-in-law Sharon Dominik and many other friends and family members. He now joins his father Jesus Torres in Heaven.

His brothers and sisters in blue, along with the entire city of Westfield, will miss him for his professionalism, personality, friendly smile, and his love of his job, family, and community.

Officer Torres was also a veteran of the United States Army.

Valedictory Address.

The Speaker having taken the Chair,— Representative Murphy of Burlington, who would soon be resigning from the House, then addressed the House regarding his departure from service. Valedictory Address.

Engrossed Bills.

Mr. Donato of Medford being in the Chair,— Engrossed bills Relative to competitively priced electricity in the Commonwealth (see Senate, No. 2395) (which originated in the Senate); Bills enacted. Establishing a reserve fund for credit unions (see House, No. 2073); and Relative to payment for use of ambulance services (see House, No. 3917, amended); (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.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (Senate, No. 2385, amended), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4356. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hinsdale,—land.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill, having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. The bill (Senate, No. 2385 amended) then was sent to the Senate for concurrence in the amendment.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, Nos. 9, 11, 23, 24, 27, 28, 29, 30, 31, 40, 41, 42, 382, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 439, 440, 441, 443, 444, 445, 446, 447, 448, 449, 451, 452, 453, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 488, 489, 490, 491, 492, 493, 494, 495, 496, Judiciary,—study.

Judiciary,—
study.

497, 498, 499, 500, 501, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 524, 525, 526, 527, 528, 1274, 1275, 1276, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1835, 1836, 1837, 1838, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2684, 2793, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2825, 2826, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 3137, 3138, 3139, 3140, 3141, 3142, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3230, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3330, 3340, 3358, 3359, 3360, 3361, 3362, 3385, 3441, 3471, 3516, 3518, 3545, 3559, 3569, 3587, 3631, 3636, 3681, 3682, 3729, 3743, 3744, 3766, 3768, 3840, 3884, 3905, 3913, 3934, 3978, 3987, 4004, 4050, 4055, 4057, 4068, 4069, and 4279, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning matters relative to judiciary related issues (House, No. 4364). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Mr. Binienda, for said committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 1278) of Ruth B. Balsler and others relative to the identification and treatment of the mentally ill in prisons; and

Of the petition (accompanied by bill, House, No. 3729) of Marcos A. Devers and others (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to establish a program for enforcement against illegal dumping;

And recommending that the same severally be recommitted to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 442, a Bill relative to carrier reporting of financial information (House, No. 4363).

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 1278, a Bill relative to the treatment of mentally ill in prisons (House, No. 4372).

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 3729, a Bill authorizing the city of Lawrence to establish a program for enforcement against illegal dumping (House, No. 4373) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty minutes before one o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

The House Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (House, No. 4335), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 11, adding the following sentence: "The transfer authorized in this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws."; and striking out section 4 and inserting in place thereof the following two sections:

"SECTION 4. As a condition of the transfer authorized in section 1, the town of Maynard shall transfer a parcel of land under the care, custody, management and control of the board of selectmen for general municipal purposes to the conservation commission to be used for permanent conservation purposes. If no suitable parcel can be transferred for conservation purposes, the town shall acquire a parcel of land or a conservation easement, as defined in section 31 of chapter 184 of the General Laws. Such land or easement shall be

Maynard,—
land.

dedicated to conservation purposes and placed under the jurisdiction of the conservation commission. The parcel dedicated pursuant to this section shall be of equal or greater size and value for conservation purposes than the parcel described in section 1, as determined by the conservation commission.

SECTION 5. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Ms. Hogan of Stow, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Worcester,—
land.

The House Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 4, inserting after the word “building” the words “in its current footprint and structure, and any additions and supporting spaces due to the grade characteristic requirements of the architectural access board and the Americans With Disabilities Act.”;

In line 5, inserting after the word “bank”, the words “and for the construction of an independent structure for a remote teller and automated teller machine; provided, however, that these structures shall be renovated or constructed in conformance with historic preservation standards acceptable to the city manager for use as a retail branch of the bank”;

In line 11, adding the following 2 sentences: “The community meeting room and related amenities shall consist of at least 51 per cent of the entire first floor of the building. The 3.0 acre lease shall include at least 6 spaces dedicated for the sole purpose of parking for Elm Park users and the community room and the remaining parking spaces shall be available to users of Elm Park and the community room after bank hours”, and

In line 27, adding the following sentence “A conveyance under this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”;

In section 2, in line 33, adding the following sentence: “The income from the leases authorized in this section shall be dedicated to the management and improvement of Elm Park.”;

Striking out sections 6 to 9, inclusive, and inserting in place thereof the following two sections:

“SECTION 6. In consideration for and as a condition of the conveyances, changes of use and leases authorized in sections 1, 2, 4 and 5, the city of Worcester, individually or together with the Greater Worcester Land Trust, shall record a permanent conservation restriction meeting the requirements of sections 32 and 33 of chapter 184 of the General Laws over approximately 4.6 acres of land along Plantation parkway and adjacent to Green Hill Park currently owned by the commonwealth under the care and control of the University of Massachusetts and formerly of the Worcester Business Development Corporation and being a triangle in the westernmost section of Worcester assessor’s Parcel 57-004-00A-2 and described in a plan on file with the city of Worcester department of public works and parks, and in furtherance of the purposes of this provision, the University of

Massachusetts, any of its entities, and any other state department, agency or entity involved, shall have any authority under this act which is necessary and proper to approve and grant such permanent conservation restriction over the property described in this section.

SECTION 7. The city of Worcester shall prepare and record in the Worcester district registry of deeds the plans of land describing the precise boundaries of the parcels of land altered pursuant to this act.”; and

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 authorize forthwith the conveyance, lease and change of use of certain park lands in the city of Worcester, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”;

Under suspension of Rule 35, on motion of Mr. Binienda of Worcester, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing for the licensing of applied behavior analysts (Senate, No. 2379, amended), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4355.

Behavior
analysts.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2379, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to provide access to hearing aids for children (House, No. 52, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hearing
aids.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O’Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: “An Act providing hearing aids for children.”. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to provide incentives for productive workers compensation audits (House, No. 532), ought to pass with an amendment substituting

Workers
compensation
audits.

Workers
compensation
audits.

therefor a bill with the same title (House, No. 4357). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill (House, No. 4357) was ordered to a third reading.

Bail
fees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to bail fees (House, No. 2828), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4358). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4358) then was sent to the Senate for concurrence.

Dental
benefits
corporations.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to financial services contracts for dental benefits corporations (House, No. 3916), ought to pass with the 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. 4265), pending. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Health Care Financing then was adopted; and the substituted bill (House, No. 4265) was ordered to a third reading.

Cleft lip.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the treatment of cleft palate and cleft lip (House, No. 3928), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Garballey of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the senate for concurrence.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 2847, a Bill restoring free speech (House, No. 4361). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Free
speech.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of the rules, on motion of Mr. O'Flaherty, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a third time forthwith.

The committee on Bills in the Third Reading then reported recommending that the bill be amended by substitution of House Resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and for fair elections to the people (House, No. 4374); and the report was accepted.

Pending the question on adoption of the amendment, Mr. Michlewitz moved to amend it by substitution of House Resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and fair elections to the people (House, No. 4375). The further amendment was adopted (thus precluding a vote on the resolutions recommended by the committee on Bills in the Third Reading).

The substituted resolutions (House, No. 4375) then also were adopted.

Reports

Of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 102) of Garrett J. Bradley, Kathi-Anne Reinstein and others for legislation to ensure that independent repair facilities in the Commonwealth have access to information related to the proper and complete diagnosis, service and repair of motor vehicles; and.

Independent
repair
facilities.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by resolve, House, No. 1016) of Kevin J. Murphy and Thomas A. Golden, Jr., for an investigation by a special commission (including members of the General Court) relative to the ability of independent auto repair businesses to repair automobiles after the expiration of any warranty;

Independent
auto repair
businesses.

Severally were considered forthwith under suspension of the rules, on motions of Mr. Speltotis of Danvers. Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on further motion of the same member.

Ms. Reinstein of Revere being in the Chair,—

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that

Fall River,—
Andrews
Bridge.

Fall River,—
Andrews
Bridge.

Joint Rule 12 be suspended on the joint petition of David B. Sullivan and Michael J. Rodrigues relative to designating a certain bridge in the city of Fall River in honor Army Specialist Scott A. Andrews. Under suspension of the rules, on motion of Mr. Sullivan of Fall River, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Engrossed Bills — Land Takings.

Canton,—
conservation
restrictions.

The engrossed Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 350.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 350 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

range,—
id.

The engrossed Bill authorizing the town of Orange to convey a certain parcel of land (see House, No. 4009, changed and 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.

Bill enacted
(land taking),—
yea and nay
No. 351.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 351 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Maynard,—
land.

The engrossed Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (see House, No. 4336) (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.

Bill enacted
(land taking),—
yea and nay
No. 352.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 352 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill relative to the emergency service response of public utility companies (see Senate, No. 2143, amended), 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.

Utility
companies,—
emergency
response.

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 put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan of Salem; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted,—
yea and nay
No. 353.

[See Yea and Nay No. 353 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (see House, No. 4272), 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.

Foxborough
Housing
Authority,—
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 45 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

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

The Senate Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125, amended), was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kaufman of Lexington.

Prescription
drug abuse.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill, as amended (see text of House document numbered 4346), to be engrossed, in concurrence, Mr. Walsh of Boston and other members of the House moved to amend it in section 9, in line 88, by striking out the word "may" and inserting in place thereof the word "shall"; and the amendment was adopted.

Prescription
drug abuse.

Mr. Kaufman of Lexington then moved to amend the bill in section 23, in line 198, by inserting after the word "addiction" the words "and protecting access for patients suffering from acute and chronic pain", and, in lines 214 to 217, inclusive, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

"The commissioner after reviewing the policy working group's findings and recommendations, shall promulgate regulations relative to safe and responsible opioid prescribing and dispensing practices with the goal of reducing diversion, abuse and addiction and protecting access for patients suffering from acute and chronic pain, not later than six months after the joint policy working groups submits its report."

The amendments were adopted; and the bill (Senate, No. 2125, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (House document numbered 4346, amended).

Elderly,—
falls.

The House Bill relative to the prevention of falls in the elderly community (House, No. 180), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O'Day of West Boylston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Collective
bargaining
agreements.

The House Bill relative to collective bargaining agreements (House, No. 1402, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O'Day of West Boylston.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

"Section 7 of chapter 150E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(e) If the commonwealth has agreed pursuant to a collective bargaining agreement with an employee organization to exercise statutory rights of the commonwealth regarding the removal of employees in a certain manner with respect to the members of such employee organization, then the commonwealth shall exercise such rights of removal in accordance with the terms of the collective bargaining agreement."

The amendment was adopted.

After debate on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. O'Day; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 354 in Supplement.]

Therefore the bill (House, No. 1402, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Franklin
regional
retirement
system.

The House Bill providing retirement benefits for members of Franklin regional retirement system (House, No. 3936, changed) (its title having been changed by the committee on Bills in the Third Reading), reported

by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kocot of Northampton.

Pending the question on passing the bill to be engrossed, Mr. Kocot moved to amend it in line 3 by inserting after the word "act" the following: "including dates of service from March 17, 2009 to September 3, 2010 and November 3, 2010 to March 23, 2011, inclusive."

The amendment was adopted; and the bill (House, No. 3936, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4305),— Representatives Dempsey and Walz of Boston moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4380. The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and the substituted bill (House, No. 4305, amended) was ordered to a third reading.

The House Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 4252), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4303), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Costello of Newburyport.

Pending the question on passing the bill to be engrossed, the same member moved to amend it in line 95 by adding the following paragraph:

"(1) Licensed Massachusetts real estate brokers and salespersons who, in connection with listing or marketing a property for sale, communicate with the seller's lender about compromising the amount owed in order to facilitate sale of the property."

The amendment was adopted; and the bill (House, No. 4303, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The following House bills were discharged from their position in the Orders of the Day and read a second time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. Michlewitz of Boston:

Mercury
thermostats.

Intellectual
disability.

Debt
management
services.

Boston Housing Authority. Relative to a form of governance for the Boston Housing Authority (House, No. 4008);

Blackstone,— election. Validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (printed in House, No. 4134);

Lincoln,— election. Validating the actions taken at a certain election held in the town of Lincoln (printed in House, No. 4135);

Danvers,— liquor license. Authorizing the town of Danvers to grant an additional license for the sale of all alcoholic beverages (House, No. 4168);

Marion. Regarding the town of Marion Open Space Acquisition Commission (House, No. 4188);

Hubbardston. Establishing a charter for the town of Hubbardston (House, No. 4209);

Westborough. Amending the charter of the town of Westborough (House, No. 4211);

Acushnet,— housing. Providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Acushnet (House, No. 4221);

Oakham,— treasurer. Establishing the position of treasurer-collector in the town of Oakham (House, No. 4232);

Plympton. Relative to a special fund in the town of Plympton (House, No. 4276);

Wales. Providing for recall elections in the town of Wales (House, No. 4281);

Id. Creating a library building fund for the town of Wales (House, No. 4282); and

Watertown,— Meaton Corner. Designating a certain corner in the town of Watertown as Meaton Corner (House, No. 4287);

Severally were ordered to a third reading.

Emergency Measure.

South Hadley,— land. The engrossed Bill authorizing the directing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (see House, No. 4341) (which originated in the House), 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 58 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 355 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

Maynard,— land. The engrossed Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic

system (see House, No. 4335, 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 356 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Papers from the Senate.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338, amended) came from the Senate with the endorsement that said branch had NON-concurred with the House in its amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4338.

On motion of Mr. Devers of Lawrence, the House then receded from its amendment.

The House Bill relative to student access to educational services and exclusion from school (House, No. 4332, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out sections 10 and 11 and inserting in place thereof the following three sections:

“SECTION 10. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs associated with providing alternative educational services under section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed under section 5A of chapter 71B of the General Laws.

SECTION 11. The department of elementary and secondary education shall issue a report on the costs of implementation of this act not later than November 30, 2013. The department of elementary and secondary education shall file the report with the clerks of the senate and house of representatives, who shall forward the report to the chairs of the joint committee on education and the senate and house committees on ways and means.

SECTION 12. Sections 1 to 10, inclusive, shall take effect on July 1, 2014.”

Under suspension of Rule 35, on motion of Ms. Walz of Boston, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text

Bill enacted (land taking),— yeas and nays No. 356.

Lawrence,— property lease.

Students,— services and school exclusion.

Health care,— quality and costs.

Bill enacted (land taking),— yeas and nays No. 355.

Health care,—
quality and
costs.

contained in House document numbered 4155) to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270), recommending passage of a bill with the same title (Senate, No. 2400), came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Mr. Walsh of Lynn, the report was considered forthwith.

Conference
committee
report
accepted,—
yea and nay
No. 357.

After debate on the question on acceptance of the report, in concurrence, (Mr. Donato of Medford being in the Chair) the sense of the House was taken by yeas and nays, at the request of Mr. Walsh of Lynn; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 357 in Supplement.]

[Mr. Murphy of Burlington answered Present. in response to his name.]

Therefore the report of the committee of conference was accepted, in concurrence.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

Economic
growth.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2366; and inserting before the enacting clause an emergency preamble) of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), recommending passage of a bill with the same title (House, No. 4352) was discharged from its position in the Orders of the Day and considered, under suspension of Rule 47, on motion of Mr. Wagner of Chicopee.

[Attached to the report was an errata containing the following changes:

In line 1512 by striking out the following: "SECTION 35" and inserting in place thereof the following: "SECTION 35A"; in line 2428 by striking out the following: "29, 30 and 34" and inserting in place thereof the following: "31, 32 and 37"; and by striking out section 101.]

Conference
committee
report
accepted,—
yea and nay
No. 358.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 358 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Recess.

Recess.

At three minutes before six o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until seven o'clock; and at nineteen minutes after seven o'clock the House was called to order with Mr. Donato in the Chair.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the exchange of certain parcels of land in the town of Marshfield (House, No. 4365), was filed this day in the office of the Clerk.

Marshfield,—
land.

The message was read; and it was referred, on motion of Mr. Cantwell of Marshfield, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, then reported on the foregoing message, a Bill authorizing the exchange of certain parcels of land in the town of Marshfield (printed in House, No. 4365). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Cantwell, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Papers from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4330) to the Senate Bill regarding families and children engaged in services (Senate, No. 1963), recommending passage of a bill with the same title (Senate, No. 2410), came from the Senate with the endorsement that it had been accepted by said branch.

Families and
children
engaged in
services.

Under suspension of the rules, on motion of Mr. Donato of Medford, the report was considered forthwith; and it was accepted, in concurrence.

The House Bill providing hearing aids for children (House, No. 52, changed), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 18, striking out the following: "47U" and inserting in place thereof the following: "47X"; in section 3, in line 43, striking out the following: "8U" and inserting in place thereof the following: "8Y"; in section 4, in lines 65 and 66, striking out the following: "Section 4U of chapter 176B of the General Laws, as so appearing, is hereby amended by adding the following paragraph:— (f) (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following: "Chapter 176B of the General Laws, as so appearing, is hereby amended by inserting, after section 4DD, the following section:— Section 4EE."; and adding the following section:

Children,—
hearing
aids.

"SECTION 6. This act shall apply to all policies, contracts and certificates of health insurance subject to section 23 of chapter 32A of the General Laws, section 47U of chapter 175 of the General Laws, section 8U of chapter 176A of the General Laws, section 4EE of chapter 176B

Children,—
hearing
aids.

of the General Laws and section 4N of chapter 176G of the General Laws which are delivered, issued or renewed on or after January 1, 2013."

Under suspension of Rule 35, on motion of Mr. Garballey of Arlington, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Springfield,—
park land.

The House Bill authorizing the city of Springfield to convey certain park land and to grant a license agreement over certain park land to Unifirst Corporation (House, No. 3874), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2301.

Under suspension of Rule 35, on motion of Mr. Petrolati of Ludlow, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Cleft palate
and
cleft lip.

The House Bill relative to the treatment of cleft palate and cleft lip (House, No. 3928), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

"SECTION 8. This act shall apply to all policies, contracts and certificates of health insurance subject to chapter 32A, 118E, 175, 176A, 176B, 176G and 176I of the General Laws which are delivered, issued or renewed on or after January 1, 2013."

Under suspension of Rule 35, on motion of Mr. Walsh of Lynn, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Wellfleet,—
easement.

The House Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (House, No. 4171), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 2, in line 22, inserting after the word "town" the words "and the proceeds thereof shall be deposited in a fund dedicated to the acquisition of conservation land in the town."

Under suspension of Rule 35, on motion of Ms. Peake of Provincetown, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Fairhaven,—
easement.

The House Bill authorizing the town of Fairhaven to grant an easement over certain land (House, No. 4172), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1 adding the following sentence: "The grant of easement authorized in this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B."; and striking out section 2 and inserting in place thereof the following two sections:

"SECTION 2. As a condition of the conveyance authorized in section 1, the town of Fairhaven shall transfer a parcel of land dedicated for general municipal purposes to the conservation commission for

conservation purposes. If no suitable parcel can be transferred for conservation purposes, the town shall acquire a parcel of land or a conservation easement, as defined in section 31 of chapter 184 of the General Laws. Such land or easement shall be dedicated to conservation purposes and shall be placed under the jurisdiction of the conservation commission. The parcel dedicated pursuant to this section shall be of equal or greater size and value for conservation purposes to the parcel described in section 1, as determined by the conservation commission.

SECTION 3. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Straus of Matapoisett, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

The House bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (House, No. 4174), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2405.

Under suspension of Rule 35, on motion of Mr. Beaton of Shrewsbury, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 5, the following section:

"SECTION 5A. In consideration for and as a condition of the transfer of land authorized in sections 1 through 4, the town of Cohasset shall dedicate a parcel of land shown as 'lot 2' on a plan entitled 'Plan of Land, North Main Street & Sohler Street in Cohasset, MA', dated October 25, 2011 and prepared by Cavanaro Consulting and containing approximately 7.39 acres, for permanent recreation purposes."

Under suspension of Rule 35, on motion of Ms. Peake of Provincetown, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill making appropriations for the fiscal years 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4334), came from the Senate passed to be engrossed, in concurrence, with the following amendments:

In section 2, in item 2800-0700, striking out the figures "\$350,000" and inserting in place the figures "\$1,100,000";

In section 2A, inserting after item 1599-4420 the following item:

"1599-6263 For a reserve for the purposes of eradication and control of mosquitoes to prevent the spread of eastern equine encephalitis; provided, that the secretary of administration and finance shall

Shrewsbury,—
land.

Cohasset,—
land.

Supplemental
appropriations.

Supplemental
appropriations.

report on the expenditures from this account including, but not limited to, the amount spent from this account during the fiscal year, the communities where spraying occurred and the amount spent per community \$2,000,000”;

and in said section 2A, inserting, after item 1599-4380, the following item:

“7002-0035 For a reserve to support the commonwealth’s defense sector initiatives \$350,000”;

In section 2C.I, inserting after item 1599-4420 the following item:

“1599-6263 \$2,000,000”;

and in said section 2C.I, in item 2800-0700, striking out the figures “\$350,000” and inserting in place thereof the following figures “\$1,100,000”;

Striking out sections 3 and 4 and inserting in place thereof the following six sections:

“SECTION 3. Clause (1) of subsection (c) of section 98 of chapter 6 of the General Laws, as appearing in section 17 of chapter 165 of the acts of 2012, is hereby amended by adding the following words:—, but any such regulations or guidelines shall not apply to the commonwealth.

SECTION 3A. Chapter 6A of the General Laws is hereby amended by inserting after section 16G the following section:—

Section 16H. (a) There shall be a Housing and Economic Development Trust to be administered by the secretary of housing and economic development. Monies in the trust shall be deposited with the state treasurer in a manner that will secure the highest interest rate available consistent with the safety of the trust and with the requirement that all amounts on deposit be available for immediate use.

(b) The secretary shall appoint the fund’s trustee, who shall serve until a successor is appointed.

(c) There shall be credited to the trust:

(1) grants, bequests, gifts or contributions of cash or securities, or contributions of services or property in kind from any persons or other governmental, nongovernmental, quasi-governmental or local governmental entities made for the purpose of supporting the executive office of housing and economic development as set forth in subsection (d); and

(2) all interest earned on monies in the trust.

(d) Expenditures from the trust shall not be subject to appropriation and balances remaining at the end of a fiscal year shall not revert to the General Fund. Expenditures from the trust shall be made only for the following purposes:

(1) operating costs of the executive office of housing and community development, including the divisions and programs within the executive office;

(2) operating costs of the Massachusetts marketing partnership and the offices within the partnership, including the Massachusetts international trade office, the commonwealth marketing office, the office of travel and tourism, the Massachusetts film office and the Massachusetts sports partnership; and the Massachusetts office of business

development, including the divisions and programs within that office; and

(3) costs associated with housing and economic development programs, grants and initiatives of the secretary.

(e) Funds deposited and expended from the trust shall not be assessed any indirect costs.

(f) For the purpose of accommodating timing discrepancies between the trust’s receipt of revenues and related expenditures, the trust may incur expenses and the comptroller may certify payments from the trust in anticipation of trust receipts based on estimated receipts as certified by the trustee. The trustee shall insure that no expenditures from the trust shall cause the trust to be in deficiency at the close of a fiscal year.

SECTION 3B. Section 51 of chapter 18 of the General Laws, as amended by chapter 139 of the acts of 2012, is hereby further amended by adding the following subsection:—

(d) the department shall submit semi-annual reports detailing enforcement and violations of the section. The report shall include, but not necessarily be limited to, the number of alleged violations reported, the number of alleged violations investigated, the number of violations found, the amount received for reimbursements for purchases made in violation of this section, the number of 2 month disqualifications, the number of permanent disqualification notices, hearings, and permanent disqualifications, and further specify actions taken to improve the implementation of this section and limit the number of eligible recipients who knowingly make a prohibited purchase in violation of this section. The reports shall be filed with the clerks of the house of representatives and the senate, with the first report to be filed not later than March 15, 2013.

SECTION 4. Chapter 20 of the General Laws is hereby amended by adding the following section:—

Section 32. There shall be established and set upon the books of the commonwealth an Agricultural Inspection and Infrastructure Trust Fund, consisting of: (i) fee revenues from apiary inspections under sections 32 and 35 of chapter 128, poultry inspections under section 124 of chapter 94, registration of animal rescue and shelter operations under section 39A of chapter 129 and registration of pesticide companies; (ii) interest or investment earnings on such monies; and (iii) all other monies credited or transferred to the fund by law. The commissioner shall be the trustee of the fund and may expend monies in the fund without further appropriation for programs and costs related to the following: (1) sections 32 to 38, inclusive, and sections 64 and 65 inclusive of chapter 128; (2) the integrated pest management program established in chapter 132B and in chapter 85 of the acts of 2000; (3) spay and neuter programs and animal rescue and shelter programs established under section 139A of chapter 140; (4) poultry testing programs established in 330 CMR 5.00 seq; and (5) the Agricultural Innovation Center.

Any unexpended balance in the fund at the end of the fiscal year, not to exceed \$200,000, shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

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SECTION 4A. Section 20 of chapter 29 of the General Laws, as appearing in section 112 of chapter 165 of the acts of 2012, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The provisions of this section relating to bonds shall also be applicable to the issuance of notes insofar as such provisions may be appropriate for such notes.

SECTION 4B. The first paragraph of section 5G of said chapter 29, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:— If the department of revenue certifies that the amount of tax revenues estimated to have been collected from capital gains income exceeds \$1,000,000,000 in a fiscal year, the comptroller shall transfer quarterly any such amount that exceeds \$1,000,000,000 collected during that fiscal year to the Commonwealth Stabilization Fund established in section 2H. The \$1,000,000,000 threshold established in the preceding sentence shall be adjusted annually to reflect the average annual rate of growth in United States gross domestic product over the preceding 5 years based on the most recently available data published by the Bureau of Economic Analysis in the United States Department of Commerce.”

Inserting after section 5 the following section:

“SECTION 5A. The second paragraph of section 60A of said chapter 29, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— For each subsequent fiscal year, the limit shall be the product of the limit established for the previous fiscal year and 1.05.”

Inserting after section 7 the following three sections:

“SECTION 7A. Section 81 of chapter 146 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the definition of ‘Pipefitting’ and inserting in place thereof the following definition:—

‘Pipefitting’, the installation, repair, replacement, maintenance or alteration of any apparatus for piping appliances, devices or accessories for heating systems having a rating greater than 700,000 British Thermal Units, including apparatus and piping for the general use of conveyance of steam and associated pumping equipment, vacuum and pneumatic systems, oil and petroleum products, ice making machinery, air conditioning equipment, piping systems used for the conveyance and storage of Category M liquids, as defined in ASME B31.3 Process Piping manual and high pressure systems over 150 pound-force per square inch gauge or hazardous industrial type gases used in processes, biopharma or semi-conductor manufacturing, but excluding sheet metal work, refrigeration systems, boilers and plumbing as defined under the rules and regulations of the board of state examiners of plumbers promulgated under sections 4 and 13 of chapter 142.

SECTION 7B. Section 89 of said chapter 146, as so appearing, is hereby amended by adding the following 2 paragraphs:—

Whoever prevents, or attempts to prevent, an inspector from entering any premises in the discharge of the inspector’s duty shall be punished by a fine of not less than \$250 and not more than \$3,000, or by imprisonment for not more than 3 months, or both such fine and imprisonment.

Any person who permits an unlicensed person to engage in pipefitting, as defined in section 81, shall be punished by a fine of not less than \$1,000 and not more than \$3,000, or by imprisonment for not more than 3 months, or both such fine and imprisonment.

SECTION 7C. The last paragraph of section 22 of chapter 61 of the acts of 2009 is hereby amended by striking out the words ‘April 30, 2012’, inserted by section 22 of chapter 36 of the acts of 2012, and inserting in place thereof the following words:— October 31, 2012.”

Inserting after section 14 the following section:

“SECTION 14A. Said chapter 142 is hereby further amended by striking out section 94 and inserting in place thereof the following section:—

Section 94. There shall be established and set up on the books of the commonwealth a Substance Abuse Services Fund. The commissioner of public health shall serve as the fund’s trustee. Funds in the fund shall be used to expand inpatient treatment facilities and ongoing case management for individuals civilly committed under section 35 of chapter 123 of the General Laws. Prior the end of fiscal year 2012, the comptroller shall transfer \$10,000,000 from the General Fund to the Substance Abuse Services Fund. Upon the submission of a spending plan for this fund to the secretary of administration and finance, the house and senate committees on ways and means and the clerks of the house and senate, the commissioner may make expenditures from the fund for the purpose of expanding inpatient treatment facilities and ongoing case management. In developing the spending plan, the commissioner shall hold at least 1 public hearing and shall consult with the commissioner of mental health, the court administrator of the trial court, a representative of the Massachusetts Medical Society, a representative of the Massachusetts Organization for Addiction Recovery and a representative of the Association for Behavioral Healthcare. The commissioner shall submit a draft spending plan to the house and senate committee on ways and means 45 days prior to the submission of the final plan. This fund shall be in effect until June 30, 2013.”

Inserting after section 21 the following two sections:

“SECTION 21A. Item 1599-0026 of said section 2 of said chapter 139 is hereby amended by adding the following words:— ; provided further, that funds from this item may be expended to reimburse municipalities for tuition and transportation costs under section 7C of chapter 74 of the General Laws; and provided further, that any reimbursements for tuition under the preceding proviso shall be in addition to allowable federal grants used to cover reimbursement costs and approved by the department of elementary and secondary education for expenditure in fiscal year 2013.

SECTION 21B. Item 2000-0100 said section 2 of said chapter 139 is hereby amended by adding the following words:— ; and provided further, that any funds appropriated in fiscal year 2012 for a program of collaborative research with the Massachusetts Maritime Academy that applies sonar technology over significant surface area of the ocean to assess the biomass of groundfish in the region managed by the New England Fishery Management Council shall not revert and shall be made available for such purposes in fiscal year 2013.”

Inserting after section 22 the following section:

“SECTION 22A. Item 2800-0700 of said section 2 of said chapter 139 is hereby amended by adding the following words:— ; provided further,

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that not less than \$350,000 shall be expended for repairs to the Upper Bondsville Dam in the town of Belchertown; and provided further, that not less than \$750,000 shall be expended for repairs to the Town Brook Dam in the town of Plymouth.”; Inserting after section 25 the following section:

“SECTION 25A. Item 4590-1507 of said section 2 of said chapter 139 is hereby amended by striking out the words ‘and provided further, that the department of public health shall award not less than \$800,000 each to the Massachusetts Alliance of Boys and Girls Clubs and the Alliance of Massachusetts YMCAs, which shall be distributed equally between the respective recipients’ member organizations’ and inserting in place thereof the following words:— provided further, that the department of public health shall award not less than \$800,000 to the Massachusetts Alliance of Boys and Girls Clubs and \$725,000 to the Alliance of Massachusetts YMCAs, which shall be distributed equally between the respective recipients’ member organizations; and provided further, that not less than \$75,000 shall be awarded to the Alliance of Massachusetts YMCAs for the alliance to support the expansion of existing YMCAs to communities not currently served by a YMCA.”;

Striking out sections 29 and 30 and inserting in place thereof the following section:

“SECTION 30. Said chapter 139 is hereby further amended by striking out section 154 and inserting in place thereof the following section:—

Section 154. (a) Notwithstanding any general or special law to the contrary, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 in the following order of precedence: (i) make available to be used as revenue for fiscal year 2013 an amount equal to .5 per cent of the total revenue from taxes in fiscal year 2012; (ii) transfer \$15,000,000 to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 231 of the General Laws; (iii) transfer \$20,000,000 to the Health Care Workforce Transformation Trust Fund established in section 2FFFF of chapter 29 of the General Laws; (iv) distribute not more than \$2,703,119 to the New Bedford public school district to account for the district’s actual low-income enrollment, as defined by section 2 of chapter 70 of the General Laws, which amount shall be included in the district’s fiscal year 2013 chapter 70 aid and shall be considered base aid for the purpose of calculating fiscal year 2014 chapter 70 aid; provided, that said amount shall be certified by the department of elementary and secondary education prior to final transfer; (v) make available \$40,000,000 to be used as revenue in fiscal year 2013; and (vi) transfer any remaining amount of the consolidated net surplus to the Stabilization Fund; provided, however, that all funds transferred under clauses (i) to (v), inclusive shall be made available in the General Fund in fiscal year 2013.

(b) To the extent that balances in the General Fund are insufficient to carry out the transfers under subsection (a), the transfers shall be made from the other budgetary funds proportionally from those undesignated fund balances, but no such transfer shall cause a deficit in any of those funds; provided, however, that prior to certifying the consolidated net surplus, the comptroller shall, to the extent possible, elimi-

nate deficits in any fund contributing to the surplus by transferring positive fund balances from any other fund contributing to the surplus.”;

Inserting after section 31 the following four sections:

“SECTION 31A. Section 188 of said chapter 139 is hereby amended by striking out the words ‘2011 amendments’ and inserting in place thereof the following words:— 2011 and 2012 amendments.

SECTION 31B. Section 189 of said chapter 139 is hereby amended by striking out the words ‘2011 amendments’ and inserting in place thereof the following words:— 2011 and 2012 amendments.

SECTION 31C. Said section 189 of said chapter 139 is hereby further amended by striking out clause (gg) and inserting in place thereof the following clause:—

(gg) between the commonwealth and AFSCME Local 653, for the Essex North/South registry of deeds;

SECTION 31D. Said section 189 of said chapter 139 is hereby further amended by adding the following 3 clauses:—

(kk) between the commonwealth and AFSCME Local 414, for the Middlesex South registry of deeds;

(ll) between the commonwealth and SEIU Local 888, for the Suffolk registry of deeds; and

(mm) between the commonwealth and SEIU Local 888, for the Worcester North registry of deeds.”;

Inserting after section 35 the following four sections:

“SECTION 35A. A person who was not required to be licensed pursuant to section 84 of chapter 146 of the General Laws and who shall submit satisfactory proof to the bureau of pipefitters, refrigeration, technicians and sprinkler fitters that such person has been actively engaged in the pipefitting industry for a period of 4 years prior to the effective date of this act and who has applied for a license within 1 year after the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued a master pipefitter’s license upon payment of the applicable fee.

A person who was not required to be licensed pursuant to said section 84 of said chapter 146 and who shall submit satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that such person has been actively engaged in the pipefitting industry for a period of 3 years prior to the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued a journeyman’s pipefitter’s license upon payment of the applicable fee; provided, however, that for the purposes of this section, completion of an apprentice training program by any such persons shall not be required.

Any proof required to be submitted under this section shall be accompanied by a statement that such information has been submitted under the pains and penalties of perjury.

SECTION 35B. The department of public safety shall file a report with the secretary of administration and finance and the house and senate committees on ways and means containing funding recommendations necessary to enforce pipefitting licensing and inspection of work undertaken by licensed pipefitters under sections 81 to 89, inclusive, of chapter 146 of the General Laws. The department shall file the report not later than February 1, 2013.

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appropriations.

SECTION 35C. The salary adjustments and other cost items authorized by the 2011 and 2012 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws; provided, however, that the costs associated with these agreements may be funded from item 1599-4444 of section 2 of chapter 139 of the acts of 2012:

(a) between the Middlesex sheriff and the Superior Officers Association (Unit SM4);

(b) between the Norfolk sheriff and the National Association of Government Employees, Local 296 (SN3);

(c) between the Norfolk Sheriff and the Norfolk Superior Officers, Local 295 (Unit SN2);

(d) between the University of Massachusetts and the International Brotherhood of Police Officers, Local 432 (A&B Units) for the Amherst campus; and

(e) between the University of Massachusetts and the International Association of University Police Officers (Unit L94), for the Lowell campus.

SECTION 35D. The salary adjustments and other cost items authorized by the 2011 and 2012 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(a) between the trial court and the National Association of Government Employees/Service employees International Union Local 5000 (Units J2C and J2P); and

(b) between the trial court and the OPEIU Local 6 (Units J6C and J6P)."; and

Adding the following three sections:

"SECTION 40. Notwithstanding any general or special law to the contrary, or the availability of federal financial participation for the expenditure, the executive office of health and human services shall not deem ineligible any hospital licensed health center for consideration for any funds or grants to serve MassHealth recipients as long as the hospital licensed health center is otherwise qualified, if the hospital is not eligible to receive such funds or grants; provided however, that the executive office shall not award any funds or grants to any hospital licensed health center if such award would result in the loss of federal financial participation for any other MassHealth initiative.

SECTION 41. The department of housing and community development shall conduct an examination of the 'HomeBASE' program, so-called, to determine its efficacy in reducing dependence on shelter housing and homelessness, its achievements of cost-saving and efficiencies, its sustainability within current budgetary parameters, and any additional resources required in order for the program to meet its goals and remain viable for the next five fiscal years. The results of said examination, together with any legislative recommendations, shall be filed with the clerks of the house and the senate not later than 90 days after the effective date of this act.

SECTION 42. Sections 3, 4A, 4B, 5 and 5A shall take effect on January 1, 2013."

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

The same member then moved that the House concur with the Senate in its amendments with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4367.

The further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

The Senate Bill relative to simulcasting (Senate, No. 2408) (on Senate bill No. 2219), passed to be engrossed by the Senate, was read; and it was referred to the committee on Ways and Means.

Simulcasting.

Mr. Dempsey of Haverhill, for said committee, reported that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was then read a third time forthwith; and it was passed to be engrossed, in concurrence.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to license plates in the commonwealth (Senate, No. 2387), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4369. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

License
plates.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. Kafka the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was read a third time; and it was passed to be engrossed, in concurrence. The bill (Senate, No. 2387, amended) then was sent to the Senate for concurrence in the amendment.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill to include call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Fire Service
Commission.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Naturopathy,—
board.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill establishing a board of registration in naturopathy (Senate, No. 2377) ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4368. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2377, amended) was ordered to a third reading.

Engrossed Bills.

Bills
enacted.

The engrossed Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (see Senate, No. 2400) (which originated in the Senate), 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.

Emergency Measures.

Susan
Tremblay,—
sick leave
bank.

The House Bill establishing a sick leave bank for Susan Tremblay, an employee of the Department of Correction (see House, No. 4192), 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 67 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Worcester,—
land.

The engrossed Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (see House, No. 4033, amended) (which originated in the House), 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 51 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes,

Bill enacted
(land taking),—
yea and nay
No. 359.

etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 359 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (see House, No. 4339) (which originated in the House), 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.

Needham,—
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 50 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 360.

[See Yea and Nay No. 360 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (see House, No. 4340) (which originated in the House), 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.

Halifax,—
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 60 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 361.

[See Yea and Nay No. 361 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Motor vehicle repairs.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 104 and House, Nos. 102 and 1016, a Bill protecting motor vehicle owners and small businesses in repairing motor vehicles (House, No. 4362). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently (Mrs. Haddad of Somerset being in the Chair), under suspension of the rules, on motion of Mr. Speliotis, the bill was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in line 199 by striking out the following: "93B. and inserting in place thereof the following: "93J.; and the amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Reinstein of Revere; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 362 in Supplement.]

Therefore the bill (House, No. 4362, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Suspension of Rule 1A.

Bill passed to be engrossed,--yea and nay No. 362.

Suspension of Rule 1A.

The Chair (Mrs. Haddad of Somerset) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 120 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 363 in Supplement.]

Therefore Rule 1A was suspended.

Engrossed Bill -- State Loan.

Rule 1A suspended,--yea and nay No. 363.

Economic growth.

The engrossed Bill relative infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (see House, No. 4352) (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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution);

Bill enacted (state loan),--yea and nay No. 364.

and on the roll call 152 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 364 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills -- Land Takings.

The engrossed Bill authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (see House, No. 4278, 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.

Lee,--land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),--yea and nay No. 365.

[See Yea and Nay No. 365 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the exchange of certain parcels of land in the town of Marshfield (see House bill printed in House, No. 4365) (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.

Marshfield,--land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),--yea and nay No. 366.

[See Yea and Nay No. 366 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill relative to simulcasting (see Senate, No. 2408), 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.

Simulcasting.

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 43 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.

Supplemental
appropriations.

The engrossed Bill making appropriations for the fiscal years 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4334, amended), 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 36 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Hinsdale,—
land.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (see Senate, No. 2385, amended) (which originated in the Senate), 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 88 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 put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 367.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 367 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Shrewsbury,—
land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (see House, No. 4342, amended) (which originated in the House), 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 68 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 House) was put upon its final passage.

Bill enacted
(land taking),—

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for

the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

yea and nay
No. 368.

[See Yea and Nay No. 368 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (see Senate, No. 2338) (which originated in the Senate), 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.

Lawrence,—
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 39 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 House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 369.

[See Yea and Nay No. 369 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2376) of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4193), reports recommending passage of a bill with the same title (House, No. 4371). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation
bond.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Straus, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Straus; and on the roll call 151 members voted in the affirmative and 2 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 370.

[See Yea and Nay No. 370 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:
 Establishing the afterschool and out-of-school time coordinating council (Senate No. 2111);
 To promote environmentally sound transportation of agricultural products (Senate, No. 2118);
 Relative to trench safety (Senate, No. 2378, amended);
 Relative to manufactured buildings (Senate, No. 2401);
 Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402);
 Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to the use of off-highway and recreation vehicles (Senate, No. 2381), ought to pass with an amendment by adding the following section:

"SECTION 4. Paragraph (1) of subsection (a) of section 26 of chapter 90B of the General Laws, as so appearing, is hereby amended by striking out the first 2 sentences and inserting in place thereof the following sentence:—No person under 14 years of age shall operate an all terrain vehicle or recreation utility vehicle unless said person is operating such vehicle while a participant in a sanctioned race, rally or organized event which is supervised by a person aged 18 or older and which has been authorized or approved by a municipal permitting authority or operating such vehicle in preparation for such race, rally or organized event while directly supervised."

By the same member, for the same committee, that the Bill to promote municipal collaboration and regionalization throughout the Commonwealth (House, No. 3732), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4370).

By the same member, for the same committee, that the Bill establishing a snowmobile educational safety program (House, No. 3941), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4359).

By the same member, for the same committee, that the Bill relative to land taking regulations (House, No. 4208), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4360).

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (see House, No. 4171, 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Consti-

tion); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 371 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Cohasset to transfer certain interests in land (see House, No. 4230, 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 372 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Fairhaven to grant an easement over certain land (see House, No. 4172, 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 373 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills
 Relative to collective bargaining agreements (see House, No. 1402, amended);

Relative to renovation and repair contracts (see House, No. 4242, amended); and Protecting motor vehicle owners and small businesses in repairing motor vehicles (see House, No. 4362, amended); and

Relative to student access to educational services and exclusion from school (see House, No. 4332, amended);
 (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.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—
 Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see

Cohasset,—land.

Bill enacted (land taking),—yea and nay No. 372.

Fairhaven,—land.

Bill enacted (land taking),—yea and nay No. 373.

Bills enacted.

General Appropriation Bill.

Afterschool, etc. council.

Agricultural products.

Trench safety.

Buildings.

Victims,—housing rights.

Off-highway and recreation vehicles.

Regionalization.

Snowmobile safety.

Land taking regulations.

Wellfleet,—easement.

Bill enacted (land taking),—yea and nay No. 371.

General
Appropriation
Bill.

House, No. 4240), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), reported, in part, that item 7061-0011 stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Dempsey of Haverhill, the report was considered forthwith.

Item 7061-0011 (contained in section 2) (elementary and secondary education), which had been disapproved by the Governor then was considered.

Elementary
and
secondary
education
item 7061-0011
stands,—
yea and nay
No. 374.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call (the Speaker being in the Chair) 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 374 in Supplement.]

Therefore item 7061-0011 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Emergency Measure.

Transportation
bond.

The engrossed Bill financing improvements to the Commonwealth's transportation system (House, No. 4371), 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 48 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 House) was put upon its final passage.

Bill enacted
(state loan
land-taking),—
yea and nay
No. 375.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a loan bill as defined by Section 3 of Article LXII of the Amendments to the Constitution, and this also being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 375 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Subsequently a statement of Mr. Cantwell of Marshfield was spread upon the records of the House, as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House, and therefore was not recorded. If I had been present for the taking of the roll call, I would have voted in the affirmative.

Statement of
Mr. Cantwell
of Marshfield.

Engrossed Bill.

The engrossed Bill regarding families and children engaged in services (see Senate, No. 2410) (which originated in the Senate), 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 Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. Dempsey of Haverhill,—

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

Next
sitting.

Ms. Wolf of Cambridge then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eight minutes after twelve o'clock A.M. (Wednesday, August 1), there being no objection (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an informal Session.

JOURNAL OF THE HOUSE.

Thursday, August 9, 2012.

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).

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.

Message from the Governor — Bills Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to payment for use of ambulance services [see House, No. 3917, amended] (for message, see House, No. 4381), was filed in the office of the Clerk on Tuesday, August 7. Ambulance services,— payment.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O'Day of Worcester, to the committee on Bills in the Third Reading.

A message from His Excellency the Governor returning with recommendation of amendment section 32 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4334, amended] (for message see House, No. 4386) was filed in the office of the Clerk on Tuesday, August 7. Supplemental appropriation bill.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the section was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by the Governor, the section (published as House, No. 4384), was referred, on motion of Mr. O'Day of West Boylston, to the committee on Bills in the Third Reading. Beaches,— water quality.

Message from the Governor — Supplemental Appropriation Bill Returned with Disapprovals and Reduction.

A message from His Excellency the Governor returning with his disapproval of certain items contained sections 2, 2A and 2C.1, reduction of item 0340-0400 contained in section 2C.1; and disapproval of sections 33, 36 and 40 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4334, amended] (for message, see House, No. 4385), was filed in the office of the Clerk on Tuesday, August 7. Supplemental appropriation bill.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Message from the Governor — Economic Growth Bill Returned with Disapprovals.

Economic growth.

A message from His Excellency the Governor returning with his disapproval of sections 7, 26, 27, 28, 31, 32, 33, 34, 35A, 37, 38 through 46, 96 and 99 contained in the engrossed Bill relative to infrastructure investment, enhanced competitiveness, and economic growth in the Commonwealth [see House, No. 4352, amended] (for message, see House, No. 4387), was filed in the office of the Clerk on Tuesday, August 7.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Guests of the House.

North Attleborough Honey Badgers.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced the North Attleborough Honey Badgers 7th Grade Girls Division 2 National Basketball Champions. Representing the team was Coach Matt Forbes, accompanied by players Ashley Ahern, Katie Nelson, Julie Strachan, Molly Lahiff, Nia Atkins, Caroline Collard, Sam Taggart, Emily Schromm and Emma Forbes. They were the guests of Representative Poirier of North Attleboro.

Bailee Militello and family.

During the session, the Chair (Mr. Donato) declared a brief recess and turned the gavel over to Representative Ferrante of Gloucester. Ms. Ferrante then introduced Bailee Militello who opened a lemonade stand to support and assist the Cardone family of Gloucester after a devastating fire destroyed their home, raising over one thousand dollars for the victims. Bailee was accompanied by her mother, Brieana Militello, her father, Jimmy Militello and her brother, Jimmy, Jr. They were the guests of Ms. Ferrante.

Resolutions.

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

Edward Thomas Hogan.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Edward Thomas Hogan on receiving the Eagle Award of the Boy Scouts of America;

Walter Woods.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Walter Woods for his years of service to the Massachusetts Water Resources Authority; and

Elizabeth Freeman.

Resolutions (filed by Mr. Pignatelli of Lenox) on the occasion of the two hundred and thirty-first anniversary of the emancipation of Elizabeth Freeman;

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. Madden of Nantucket, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Department of Housing and Community Development (pursuant to item 7004-0101 contained in section 2 of Chapter 139 of the Acts of 2012) submitting proposed regulatory changes and subregulatory guidance for field operations not related to health and safety risks (copies of said communication forwarded to the committee on Ways and Means and the committee on Children, Families and Persons with Disabilities); and

Housing and Community Development.

From the Department of Housing and Community Development (pursuant to item 7004-0101 contained in section 2 of Chapter 139 of the Acts of 2012) submitting proposed regulatory changes and subregulatory guidance for field operations related to health and safety risks (copies of said communication forwarded to the committee on Ways and Means and the committee on Children, Families and Persons with Disabilities);

Id.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Boldyga of Southwick and Senator Welch, a joint petition (accompanied by bill, House, No. 4388) of Nicholas A. Boldyga and James T. Welch (with the approval of the mayor and city council) relative to the charter of the city known as the town of Agawam; and

Agawam,—charter.

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 4389) of William C. Galvin and others (by vote of the town) for legislation to create the position of treasurer-collector in the town of Avon;

Avon,—treasurer-collector.

Severally to the committee on Municipalities and Regional Government.

By Representative Gifford of Wareham and Senator Pacheco, a joint petition (accompanied by bill, House, No. 4390) of Susan Williams Gifford and Marc R. Pacheco (by vote of the town) for legislation to allocate the local option meal tax for the purchase of capital items. To the committee on Revenue.

Wareham,—meals tax.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Beaton of Shrewsbury and Senator Moore, a joint petition (subject to Joint Rule 12) of Matthew A. Beaton that the Secretary of Administration and Finance complete a study of the reduction and closing of the Irving A. Glavin Regional Center in Shrewsbury.

Glavin Center,—closure.

By Ms. Coakley-Rivera of Springfield, a petition (subject to Joint Rule 12) of Cheryl A. Coakley-Rivera and others relative to death benefits for police officers and firefighters.

Public safety officers,—death benefits.

By Mr. Jones of North Reading, a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., relative to the availability of epinephrine auto-injectors in schools.

Schools,—epinephrine.

Property tax assessments.

By Mr. Walsh of Framingham, a petition (subject to Joint Rule 12) of Chris Walsh, Tom Sannicandro and Karen E. Spilka relative to property tax assessments.

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

Papers from the Senate.

Prescription drugs.

The Senate Bill relative to the prescription drug diversion, abuse and addiction (Senate, No. 2125, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House, No. 4346, amended), with a further amendment 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 further regulate forthwith prescription drug diversion, abuse and addiction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

Under suspension of Rule 35, on motion of Ms. Malia of Boston, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Premature infant care.

The House Bill relative to premature infant hospital discharge and quality improvement (House, No. 3826), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2406.

Under suspension of Rule 35, on motion of Mrs. Haddad of Somerset, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Phosphorus runoff.

The House Bill relative to reducing phosphorus runoff (House, No. 4306), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2403, amended in section 7, in line 64, by inserting after the word "with" (the second time it appears) the words "and with the approval of"; and by striking out sections 8 and 9 and inserting in place thereof the following two sections:

"SECTION 8. Notwithstanding subsection (k) of section 2 of chapter 128 of the General Laws, any rule, regulation, ordinance or bylaw relative to nutrient management and fertilizer guidelines: (i) of a city or town in existence prior to July 1, 2013 shall remain enforceable by that city or town; (ii) adopted under chapter 561 of the acts of 1973, chapter 831 of the acts of 1977 and chapter 716 of the acts of 1989, shall remain enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by department of agricultural resources; or (iii) adopted in accordance with a regional water resources management plan under chapter 312 of the acts of 2008, shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources.

SECTION 9. Notwithstanding subsection (k) of section 2 of chapter 128 of the General Laws, any rule, regulation, ordinance or bylaw relative to nutrient management and fertilizer guidelines: (i) specific to sewerage sludge of a city or town in existence prior to July 1, 2013 shall remain enforceable by that city or town; (ii) adopted consistent with a comprehensive water resources management plan or integrated water resources management plan approved by the department of environmental protection shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources; or (iii) a regional water resources management plan under chapter 312 of the acts of 2008 shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources."; and by striking out the title and inserting in place thereof the following title: "An Act relative to the regulation of plant nutrients."

Under suspension of Rule 35, on motion of Mr. Fernandes of Milford, the amendments were considered forthwith.

Messrs. Fernandes of Milford and Peterson of Grafton then moved that the House concur with the Senate in its amendments with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4394. The further amendment was adopted.

The House then concurred with the Senate in its amendment as amended. Sent to the Senate for concurrence in the further amendment.

Bills

Clarifying the definition of commercial motor vehicles (Senate, No. 1772) (on a petition);

Commercial vehicles.

Relative to defense against abusive waivers (Senate, No. 2407) (on Senate bill No. 972); and

Abusive waivers.

Relative to voluntary towing reform (Senate, No. 2411) (on Senate bill No. 1682);

Voluntary towing.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2413) of Gale D. Candaras (by vote of the town) for legislation to authorize the lease of certain property in the town of Ludlow, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Ludlow Community Center.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick bank for Timothy J. O'Brien (House, No. 4378). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Timothy J. O'Brien, sick leave bank.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Straus of Matapoisett, the bill was read a second time forthwith; and it was ordered to a third reading.

Municipal collaboration.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to promote municipal collaboration and regionalization throughout the Commonwealth (House, No. 3732), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith.

The amendment previous recommended by the committee on Ways and Means,—that the bill be amended by substitution of a bill with the same title (House, No. 4370),—was considered.

Pending the question on adoption of the amendment, Mr. Madden moved to amend the proposed substitute bill by adding the following two sections:

“SECTION 14. Notwithstanding the provisions of paragraph (2) of subsection (b) of section 5 of chapter 44B, as amended by section 77 of chapter 139 of the acts of 2012, projects approved by a municipality utilizing community preservation funding for the acquisition of artificial turf for athletic fields before July 1, 2012 shall be authorized as a permitted use of community preservation funding.

SECTION 15. Section 14 shall take effect upon passage.”

The further amendment was adopted.

The amendment, as amended, then also was adopted; and the substituted bill (House, No. 4370, amended) was ordered to a third reading.

Labor and Workforce Development,—study.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, Nos. 531, 533, 536, 539, 545, 547, 1395, 1399, 2301 and 2304, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents relative to labor and workforce development issues (House, No. 4391).

Mental Health and Substance Abuse,—study.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on House, Nos. 552, 553, 1419, 2314 and 2877, an Order relative to authorizing the committee on Mental Health and Substance Abuse to make an investigation and study of certain House documents relative to mental health and substance abuse issues (House, No. 4392).

Tourism, Arts and Cultural Development,—study.

By Ms. Peake of Provincetown, for the committee on Tourism, Arts and Cultural Development, on House, Nos. 892, 1781 and 3067, an Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of certain House documents concerning cultural funding (House, No. 4393).

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

Mr. Binienda of Worcester, 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.

Sheriffs,—civil process.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 2824, a Bill to reform sheriff civil process operations (House, No. 4382). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 3739, a Bill to include substituted cathinones, also known as “bath salts,” in class C substances (House, No. 4383).

Class C substances,—bath salts.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to administrative reorganization of the city of Malden (House, No. 4311) [Local Approval Received].

Malden,—reorganization.

By the same member, for the same committee, on a petition, a Bill amending the administrative organization of financial officers in the city of Malden (House, No. 4312) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill relative to authorizing the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits (House, No. 4315) [Local Approval Received].

Saugus,—audits.

By the same member, for the same committee, on a joint petition, a Bill for the Falmouth retirement system (House, No. 4317).

Falmouth,—retirement.

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

Emergency Measure.

The engrossed Bill relative to the prescription drug diversion, abuse and addiction (see Senate, No. 2125, amended), 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.

Prescription drug abuse.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 8 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 Bill.

The engrossed Bill relative to license plates in the Commonwealth (see Senate, No. 2387, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

License plates.

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

Rule 40 suspended.

The same member then moved to amend the bill (as amended by the House [see House document numbered 4369]) in section 2, in line 23, by inserting after the word “force” the words “shall work in consultation with officials from the United States Department of Justice, United States Immigration and Customs Enforcement, and United States Department of Homeland Security and”; in line 29, by inserting after the word “designee” the words “; the secretary of transportation or a designee” and in line 48, by inserting after the word “; accessibility.” the following sentence: “The study required by this section is to be peer reviewed by research institutions qualified in the subject area to verify research methodology and conclusions.”

The amendments were adopted; and the bill (Senate, No. 2387, amended) then was sent to the Senate for concurrence.

*Reconsideration.*Recreation
vehicles.

Mr. Dempsey of Haverhill asked that the vote be reconsidered a second time by which the House ordered to a third reading the Senate Bill relative to the use of off-highway and recreation vehicles (Senate, No. 2381, amended), and the motion to reconsider was entertained forthwith; and it prevailed.

The same member then moved that the vote be reconsidered by which the House, on Monday last, adopted an amendment, recommended by the committee on Ways and Means, adding a section 4; and the motion to reconsider prevailed. The amendment then was rejected.

The bill (Senate, No. 2381) then was ordered to a third reading.

*Orders of the Day.*Third
reading
bill.

The Senate Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Id.

The Senate Bill establishing the afterschool and out-of-school time coordinating council (Senate, No. 2111, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

*Order.*Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At sixteen minutes after twelve o'clock noon, on motion of Mr. Frost of Auburn (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.