

Monday, June 25, 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).

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.

State funds,—
emergency
expenditures.

A message from His Excellency the Governor submitting requests for making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (House, No. 4195), was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Subsequently Mr. Dempsey of Haverhill, for said committee, reported on the foregoing message, a Bill making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (printed in House, No. 4195) [Direct Appropriations: \$1,250,000,000.00]. Read; and 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 the rules, on motion of the same member, 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. Dempsey of Haverhill, 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.

Rowe,—
town
election.

A message from His Excellency the Governor recommending legislation relative to validating the actions taken at a certain town election held in the town of Rowe (House, No. 4194), was filed this day in the office of the Clerk.

The message was read; and it was referred, on motion of Ms. Cariddi of North Adams, to the House committee on Rules.

Subsequently Mr. Binienda of Worcester, for said committee, reported on the foregoing message, a Bill relative to validating the actions taken at a certain town election held in the town of Rowe (printed in House, No. 4194). Read; and 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 the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Resolutions.

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

Resolutions (filed by Mr. DiNatale of Fitchburg) congratulating the Honorable Elliott L. Zide on his retirement as Associate Justice of Fitchburg District Court; and

Elliott L. Zide.

Resolutions (filed by Mr. Kulik of Worthington and other members of the House) recognizing the Admetech Foundation as the host of the fourth annual Prostate Cancer Awareness Day at the Massachusetts State House on June 28, 2012;

Admetech Foundation.

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

Order.

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Tuesday, July 31, 2012, within which to make its final report on current Senate documents numbered 442 and 1856; and House document numbered 3322.

Financial Services,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Costello, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petition.

By Representative Durant of Spencer and Senator Brewer, a joint petition (accompanied by bill, House, No. 4203) of Peter J. Durant (by vote of the town) relative to the collection of estimated water assessments and general fund reimbursements in the town of Charlton; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Charlton,—water assessments.

Papers from the Senate.

The House Bill establishing a sick leave bank for Patricia Chasse, an employee of the Executive Office of Health and Human Services (House, No. 4094), came from the Senate passed to be engrossed, in concurrence, with amendments in line 1 striking out the following: "SECTION 1.", also in line 1 inserting after the word "law" the words "or rule or regulation", in lines 1 and 2 striking out the words "executive office of health and human services" and inserting in place thereof the words "department of children and families", in lines 3, 5 and 8 striking out the word "office" and inserting in place thereof, in each instance, the word "department"; striking out the emergency preamble and inserting in place the following emergency preamble:

Patricia Chasse,—sick leave bank.

Patricia Chasse,—
sick leave bank.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place the following title: “An Act establishing a sick leave bank for Patricia Chasse, an employee of the Department of Children and Families.”.

Under suspension of Rule 35, on motion of Mr. O’Day of West Boylston, 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.

School districts,—
evaluation systems.

The Senate Bill providing for the implementation of education evaluation systems in school districts (Senate, No. 2315) (on Senate, No. 2197), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Bills

Superintendency Union 28,—
benefits.

Relative to superintendency union benefits (Senate, No. 2092, amended by striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding section 2 of chapter 32B of the General Laws, superintendency union 28, consisting of the towns of Erving, Leverett, New Salem, Shutesbury and Wendell may, in consultation with the joint school committee, as provided in section 63 of chapter 71 of the General Laws, enter into agreements to fund benefits for employees and retirees of the superintendency union in amounts proportionate to the benefits offered by each town to municipal employees and retirees. Those agreements shall be approved by each town through a majority vote of the board of selectmen or town council in each town.”) (on a petition); and

Groveland,—
solar generating facility.

Authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (Senate, No. 2320) (on Senate bill No. 2257) [Local Approval Received];

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.

Electricity,—
pricing.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended) (for order, see House, No. 4197). The order was considered forthwith; and it was adopted.

Educational institutions,—
unemployment benefits.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Geoffrey Diehl and

another relative to unemployment benefits for employees of educational institutions. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4198. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Competitively
priced
electricity.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, 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. 2214, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143), ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4196. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Utility
companies,—
emergency
responses.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, 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. 2143, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to natural gas leaks (House, No. 4129), ought to pass with an amendment substituting therefor of a bill with the same title (House, No. 4199). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Natural
gas leaks.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, 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.

Gloria Chisholm,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation (House, No. 4184), be scheduled for consideration by the House.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Anti-freeze.

Relative to anti-freeze and engine coolant (Senate, No. 88); and

Bylaws.

Relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 2300); and

House bills

Rebates.

Relative to commercial rebate expiration (House, No. 380);

Speed limits.

Relative to speed limits (House, No. 926);

Trucks, etc.,—
idling.

To exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 951);

Motorcycles.

Relative to motorcycle inspections (House, No. 1790);

Holyoke,—
police.

Relative to the police department in the city of Holyoke (House, No. 3484) [Local Approval Received];

Boston,—
Art

Commission.

Further regulating the Boston Art Commission enabling legislation, Chapter 410 of the Acts of 1898 (House, No. 3784) [Local Approval Received];

Historical
commissions.

Authorizing alternate members on local historical commissions (House, No. 3968);

East
Bridgewater.

Relative to tax titles in the town of East Bridgewater (House, No. 3991) [Local Approval Received];

Harvard.

Relative to electing water commissioners in the town of Harvard (House, No. 3997) [Local Approval Received];

Boston,—
ballots.

Amending the preparation of certain ballots in the city of Boston (House, No. 4020) [Local Approval Received];

Provincetown.

Relative to the finance committee of the town of Provincetown (House, No. 4054) [Local Approval Received];

Parking lots.

Limiting time period parking lots can remain open (House, No. 4122); and

Speed limits.

Relative to speed limits (House, No. 4165);

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

Emergency Measure.

Mary M.
Stanton,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Mary M. Stanton, an employee of the Department of Developmental Services (see House, No. 3972), 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 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trial Court (see Senate, No. 2272) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

The engrossed Bill authorizing the conveyance of certain properties by the Melrose Housing Authority in the city of Melrose (see Senate, No. 2234) (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. Id.

Orders of the Day.

The House Bill designating Male Breast Cancer Awareness Week (House, No. 4019), 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. Third reading bill.

Recess.

At twenty-six minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nine minutes after two o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Patricia Chasse, an employee of the Department of Children and Families (see House, No. 4094), 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. Patricia Chasse,—sick leave bank.

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 3 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.

The engrossed Bill relative to clear and conspicuous price disclosure (see House, No. 4089) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Id.

Recess.

Recess.

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

Engrossed Bill.

Bill enacted.

The engrossed Bill making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (see House bill printed in House, No. 4195) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next sitting.

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

At twenty-six minutes after three o'clock P.M., on motion of Mr. Kafka of Stoughton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.