

JOURNAL OF THE HOUSE.

Thursday, August 11, 2011.

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.

Resolutions.

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

Resolutions (filed by Mr. Diehl of Whitman) recognizing Edward P. "Ned" Kirby for his exemplary service and outstanding contributions to the Commonwealth;

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) honoring and congratulating Thomas A. Rorrie;

Resolutions (filed by Mr. Kulik of Worthington) recognizing September 19-23, 2011 as Massachusetts Harvest for Students Week;

Resolutions (filed by Representative Linsky of Natick and Peisch of Wellesley) on the occasion of the rededication of the Lilja Elementary School in the town of Natick; and

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) on the occasion of the dedication of the Shea Family Square in the town of Natick;

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

Petitions.

Petitions severally were presented and referred as follows:

By Mr. DeLeo of Winthrop, a petition (subject to Joint Rule 12) of Robert A. DeLeo and Martha Coakley relative to the regulation of cyber cafes, so-called, for conducting sweepstakes.

By Mr. Jones of North Reading, a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., and others relative to the crime of failing to notify law enforcement officials of a missing or deceased child.

By Representatives Ross of Attleboro and Poirier of North Attleborough, a petition (subject to Joint Rule 12) of George T. Ross and others for legislation to categorize bath salts, so-called, as a class C substance.

By Mr. Sánchez of Boston, a petition (subject to Joint Rule 12) of Jeffrey Sánchez relative to consolidations and mergers of certain financial institutions.

By Representative Smola of Palmer and Senator Brewer, a joint petition (subject to Joint Rule 12) of Todd M. Smola and Stephen M.

Brewer for legislation to establish a sick leave bank for Patricia Morin, an employee of the Executive Office of Health and Human Services.

By Ms. Walz of Boston, a petition (subject to Joint Rule 12) of Martha M. Walz and others relative to establishing a State House arts commission to maintain custody and care of all works of art and historical artifacts at the State House.

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

Communications.

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From the Office of the Comptroller (see Section 2E of Chapter 68 of the Acts of 2011) submitting transfer schedules for transportation accounts 1595-6368 – Massachusetts Transportation Trust Fund, 1595-6369 – Massachusetts Bay Transportation Authority, 1595-6370 – regional transit authorities, and 1595-6379 – Merit Rating Board;

From the Superintendent of the North Central Correctional Institution located in the city of Gardner in response to an inspection of said facility and discrepancies reported on June 27, 2011;

From the Department of Public Utilities (see Section 1G(g) of Chapter 164 of the General Laws) relative to degree of impact on the aggregate reduction of the electricity and impact on transition charges due to implementation or use of cogeneration systems, fuel cell and renewable energy technologies; and

From the Department of Public Utilities in consultation with the Department of Energy Resources (see Section 94 of Chapter 169 of the Acts of 2008) submitting a review and assessment of the effects of allowing electric and distribution companies to construct, own or operate solar generation facilities; Severally were placed on file.

Semi-Annual Report.

The semi-annual report of the Insurance Fraud Bureau (pursuant to Section 1 (k) of Chapter 338 of the Acts of 1990) containing a spending and management plan for said office, was placed on file.

Papers from the Senate.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 1999) of Patricia D. Jehlen, Patricia A. Haddad, Richard T. Moore and Thomas P. Conroy for legislation to extend hospice care to the MassHealth Basic and MassHealth Essential Programs. To the committee on Health Care Financing.

Petition (accompanied by bill, Senate, No. 1998) of John LaHoud for legislation relative to terms of employment. To the committee on Labor and Workforce Development.

Notice was received that Senator Bruce E. Tarr, Minority Leader of the Senate, had appointed Senator Robert L. Hedlund to the special commission established (under Sections 175 of Chapter 68 of the Acts of 2011) to make an investigation and study of home mortgage refinancing assistance to non-delinquent homeowners.

Pledge of
allegiance.

Edward P.
"Ned"
Kirby.

Thomas A.
Rorrie.

Harvest for
Students Week.

Natick,—
Lilja
School.

Natick,—
Shea
Square.

Cyber cafes,—
regulation.

Missing or
deceased
children.

Bath
salts.

Financial
institutions,—
mergers.

Patricia
Morin,—
sick leave.

State House
arts
commission.

Transportation
account
transfers.

Gardner jail,—
discrepancy
response.

Energy
technologies.

Solar
generation
facilities.

Insurance
Fraud
Bureau.

MassHealth,—
hospice
care.

Collective
bargaining.

Home
mortgage
refinancing
assistance.

Court system. Notice also was received that Senator Bruce E. Tarr, Minority Leader of the Senate, had appointed Senator Richard J. Ross to the special commission established (under Section 189 of Chapter 68 of the Acts of 2011) to make an investigation and study of the criminal justice system of the Commonwealth.

Reports of Committees.

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

Retirement boards. Guardians,—real estate. Pertaining to retirement boards (House, No. 1639); Removing the requirement to provide notice to the Department of Mental Health of a license granted to a guardian to sell real estate (House, No. 2263);

Video-conferences. Relative to videoconference hearings when one party is subject to a protective order or restraining order (House, No. 3143); and

Canton,—deputy police chief. To authorize the town of Canton to remove the position of deputy police chief from civil service (House, No. 3506) [Local Approval Received];

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

Nurse-midwives. By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to enhancing the practice of nurse midwives (House, No. 2369, changed in section 1, in line 1, by striking out the figure "8"; and in section 3 by adding the following paragraph:

"Nurse-midwives shall practice within a health care system and have clinical relationships with obstetrician-gynecologists that provide for consultation, collaborative management or referral, as indicated by the health status of the patient. Nurse-midwifery care shall be consistent with the standards of care established by the American College of Nurse-Midwives."). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Hopkinton,—easement. By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 3032, a Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (House, No. 3668). Read; and referred, under Rule 33, to the committee on Ways and Means.

Cities and towns,—absences. By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on House, No. 1441, a Bill relative to compensated absences in cities and towns (House, No. 3666).

Needham,—land. By the same member, for the same committee, on House, No. 2320, a Bill relative to authorizing the town of Needham to dispose of by sale of 375 square feet of conservation land and to grant a permanent ground bed easement to support natural gas transmission under article of amendment XLIX (House, No. 3667) [Local Approval Received].

Mark Denault,—sick leave. By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick bank for Mark Denault, an employee of the Department of Transportation (House, No. 3642).

By the same member, for the same committee, on a joint petition, a Bill to establish a sick leave bank for Grisel Caraballo, an employee of the Department of Revenue (House, No. 3662). Grisel Caraballo,—sick leave.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill authorizing the city of Quincy to abate certain fiscal year 2010 real property taxes (House, No. 3447) [Local Approval Received]. Quincy,—property taxes.

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

Engrossed Bill.

The engrossed Bill validating the Sherborn annual town election (see House bill printed in House, No. 3526) (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 (more than two-thirds of the members having voted in the affirmative); and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Christopher Lanoue, an employee of the Department of Correction (Senate, No. 1341, 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. Third reading bill.

House bills

Exempting Scott Lawrence from maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (House, No. 3464); and Third reading bills.

Exempting Daniel J. Clark from maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (House, No. 3465);

Severally 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.

Order.

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. Next sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (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.