

Monday, February 13, 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.

Resolutions.

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

Resolutions (filed by Ms. Gobi of Spencer) commending the citizens of the town of North Brookfield on the occasion of its bicentennial; and North Brookfield.

Resolutions (filed by Messrs. Stanley of Waltham and Kaufman of Lexington) congratulating Ronny Beaulieu on achieving the rank of Eagle Scout of the Boy Scouts of America; Ronny Beaulieu.

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. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

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From the Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; and Dukes County Register,—
technology fund.

From the Springfield Parking Authority (pursuant to Section 15 of Chapter 674 of the Acts of 1981) submitting audit reports for the fiscal years 2010 and 2011; Springfield Parking Authority.

Severally were placed on file.

Annual and Special Reports.

Annual report of the Massachusetts Bay Transportation Authority (under Section 5(h) of Chapter 161A of the General Laws) relative to its operations for the year 2011; MBTA,—
annual report.

Special implementation progress report of the task force created (under Section 134 of Chapter 131 of the Acts of 2010) to conduct an assessment and develop a plan relative to separate and secure waiting areas in district and superior courthouses for victims and witnesses of crimes [copies of said report were forwarded to the committee on Ways and Means and the joint committee on the Judiciary, as required by said Act]; Courthouses,—
secure waiting areas.

Special reports

Alcohol Center,— inspection.

Of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Massachusetts Alcohol and Substance Abuse Center in the town of Bridgewater;

Old Colony,— inspection.

Of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Old Colony Correctional Center Kitchen Core Services in the town of Bridgewater; and

Equine encephalitis,— report.

Of the Department of Public Health (under section 96 of Chapter 142 of the Acts of 2011) relative to deaths caused by the mosquito-borne eastern equine encephalitis virus [copies of said report were forwarded to the joint committees on Public Health and Environment, Natural Resources and Agriculture, as required by said Act];

Severally were placed on file.

Reports of Committees.

Government,— finances.

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 to improve the administration of state government and finance (Senate, No. 1940) and the recommended House text (see House document numbered 3944) (for order, see House, No. 3945). The order was considered forthwith; and it was adopted.

Public employees,— active duty 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 joint petition of James J. O’Day and others for legislation to extend certain benefits for public employees serving on active duty in the armed forces. Under suspension of the rules, on motion of Mr. O’Day of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

James Crosby,— sick leave bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for James Crosby, an employee of the Department of Veterans’ Services (House, No. 3862). 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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Sharon LeCesse,— sick leave bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick leave bank for Sharon LeCesse, an employee of the Registry of Motor Vehicles (Senate, No. 2129), 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 Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the Middlesex Canal Commission (House, No. 244). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Middlesex Canal Commission.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the leasing of publicly owned land for agricultural purposes (House, No. 263). Land,—leasing.

By the same member, for the same committee, on a petition, a Bill exempting towns from certain fees (House, No. 269). Towns,—fees.

By the same member, for the same committee, on House, Nos. 1141 and 1158, a Bill to protect farm viability (House, No. 1141). Farms,—viability.

By the same member, for the same committee, on a petition, a Bill relative to groundwater recharge (House, No. 1144). Groundwater recharge.

By the same member, for the same committee, on a petition, a Bill relative to the distribution of raw milk (House, No. 1995). Raw milk,—distribution.

By the same member, for the same committee, on a petition, a Bill to amend section 142O of chapter 111 to phase-out stage II vapor recovery systems (House, No. 2019). Vapor recovery systems.

By the same member, for the same committee, on House, Nos. 237, 239, 1153 and 1993, a Bill establishing a snowmobile educational safety program (House, No. 3941). Snowmobiles,—education.

By the same member, for the same committee, on House, No. 1139, a Bill amending the conservation restrictions and agricultural preservation statutes (House, No. 3943). Conservation restrictions.

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

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 1135, 1999 and 2000, a Bill relative to the use of crossbows in hunting (House, No. 3942). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hunting,—crossbows.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to continue tax basis rules for property acquired from decedents (House, No. 3915) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Tax basis rules.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to convey a certain parcel of land in Holyoke to Holyoke Community College (House, No. 3849) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Holyoke,—land.

Mr. Kafka of Stoughton, for said committee, then reported, that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to creating a community based flexible supports oversight commission (House, No. 1429, changed), Mental health,—oversight commission.

Mental health,—oversight commission. — be scheduled for consideration by the House, 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. 3929),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Hopkinton,—easement. — By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the 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), be scheduled for consideration by the House, with 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. 3909),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

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

Tewksbury,—town clerk. — The Senate Bill relative to the town clerk in the town of Tewksbury (Senate, No. 2104) [Local Approval Received]; and

House bills

Non-discrimination. — Relative to non-discrimination training in the work place (House, No. 1413);

Condominiums. — Relative to record keeping for condominiums (House, No. 1547);

School leases. — Relative to regional school district leases (House, No. 1912, changed).

Springfield,—towing. — Relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (House, No. 3490) [Local Approval Received];

Westwood,—liquor license. — Authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675) [Local Approval Received];

Aquinnah,—assessed taxation. — Relative to authorizing the town of Aquinnah to refund tax payments and accrued interest from improperly assessed taxation in prior fiscal years 2005 and 2006 (House, No. 3708) [Local Approval Received];

Harvard,—liquor licenses. — Authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715) [Local Approval Received];

Fitchburg,—liquor license. — Authorizing the city of Fitchburg to grant an additional license for the sales of wines and male beverages not to be drunk on the premises (House, No. 3738) [Local Approval Received];

Westwood,—town charter. — Providing for a charter for the town of Westwood (House, No. 3763) [Local Approval Received];

Westborough,—town charter. — Amending the charter of the town of Westborough (House, No. 3800) [Local Approval Received];

Abington,—town meeting. — Validating the actions taken at a certain town meeting in the town of Abington (printed in House, No. 3843); and

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

Engrossed Bill.

Bill enacted. — The engrossed Bill relative to a Uniform Anatomical Gift Act (see Senate, No. 2067) (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.

Orders of the Day.

The House Bill amending the charter of the town of Harwich (House, No. 3503, changed) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee 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 nineteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon, and at that time the House was called to order with Mr. Donato in the Chair. Recess.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to improve the administration of state government and finance (Senate, No. 1940), 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 3944. Government,— finances.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3814,— and the amendment recommended by the committee on Ways and Means, pending.

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

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1940, amended) was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at twelve o'clock noon. Next sitting.

At five minutes after twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o'clock noon.