

JOURNAL OF THE HOUSE.

Thursday, February 14, 2013.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to providing retiree healthcare benefits reform (House, No. 59), was filed in the office of the Clerk on Tuesday, February 12, 2013. Healthcare benefits reform.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Public Service. Sent to the Senate for concurrence.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Dr. Steven Saro of Westford on being named the Massachusetts Chiropractor of the Year for 2012; Steven Saro.

Resolutions (filed by Ms. Coakley-Rivera of Springfield and other members of the House) recognizing Benjamin Swan for his dedication to Black History Month in the city of Springfield; and Benjamin Swan.

Resolutions (filed by Ms. Fox of Boston and other members of the House) honoring Ralph Francis Browne, Jr., for his civic accomplishments and dedicated military service; Ralph Francis Browne, Jr.

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.

Communications.

The following communication was read and spread upon the records of the House, as follows:

February 6, 2013.

Honorable Robert A. DeLeo
Speaker of the House
State House, Room 356
Boston, MA. 02133

Dear Mr. Speaker:

I write to notify you that, pursuant to section 51 of chapter 3 of the General Laws, the Temporary Committee on Rules on the part of the House, established pursuant to an order adopted by the House on House Counsel appointed.

January 3, 2013, has voted unanimously to appoint James C. Kennedy of Milton as Counsel to the House of Representatives.

House Counsel appointed.

Sincerely,

JOHN J. BINIENDA, Chairman
Temporary House Committee on Rules
State Representative
17th Worcester District.

Communications

Youth Services,—sexually dangerous.

From the Department of Youth Services (see section 16 of Chapter 123A of the General Laws) submitting an annual report on sexually dangerous persons in the custody of the department [copies of the report were forwarded to the House committee on Ways and Means and the joint committee on the Judiciary];

MBTA,—annual report.

From the Department of Transportation, Rail and Transit Division (see Section 5 of Chapter 161A of the General Laws) submitting the annual report of the Massachusetts Bay Transportation Authority for the year 2012; and

MBTA,—non-transit revenues.

From the Massachusetts Bay Transportation Authority (see Section 11 of Chapter 161A of the General Laws) submitting a report on its efforts to maximize non-transportation revenue;

Severally were placed on file.

Annual, Semi-Annual and Special Reports.

Norfolk District Attorney,—wiretaps.

The annual report of the Office of the District Attorney for the Norfolk District (under Section 99 of Chapter 272 of the General Laws) of interceptions made by said office;

Insurance Fraud Bureau.

The semi-annual report of the Insurance Fraud Bureau (pursuant to Section 1 (k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) containing a spending and management plan for said office; and

Private attorneys.

A report of the Massachusetts District Attorney’s Association (under item 0340-2100 of Chapter 139 of the Acts of 2012) detailing the total number and use of private attorneys participating in any volunteer prosecutor program;

Severally were placed on file.

Paper from the Senate.

Supplemental appropriations.

The House Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 57, amended), came from the Senate passed to be engrossed, in concurrence, with amendments inserting after section 5 the following section:

“SECTION 5A. The definition of ‘child requiring assistance’ in section 21 of chapter 119 of the General Laws, as appearing in section 3 of chapter 240 of the acts of 2012, is hereby amended by striking out the words ‘or (iv) is habitually truant’ and inserting in place thereof the following words:— (iv) is habitually truant; or (v) is a sexually exploited child.”;

In section 27, in line 385, inserting after the word “appropriated”, the following: “in section 2 of chapter 139 of the acts of 2012”; in said section 27 adding the following sentence: “Within 15 days of making reductions under this section, the office, department, agency or institution of higher education shall report to the executive office for administration and finance and the house and senate committees on ways and means the amounts, by item and object class, that have been reduced.”; and striking out section 32.

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.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 57, 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.

Supplemental appropriations.

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 House) 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 on Tuesday next at eleven o’clock A.M.

Next sitting.

At two minutes after twelve o’clock noon, on motion of Mr. Frost of Auburn (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Tuesday at eleven o’clock A.M., in an Informal Session.