

Thursday, February 23, 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.

Message from the Governor.

Dracut,—precinct.

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 a voting precinct in the town of Dracut (House, No. 3958) was filed in the office of the Clerk on Wednesday, February 22, 2012.

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

Resolutions.

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

Northern Essex Community College.

Resolutions (filed by Mr. Dempsey of Haverhill and other members of the House) congratulating Northern Essex Community College on its fiftieth anniversary;

Bishop Michael R. Lunsford.

Resolutions (filed by Mrs. O'Connell of Taunton) recognizing Bishop Michael R. Lunsford on the twenty-ninth anniversary with the Antioch Church in Taunton;

Robert A. Dwan.

Resolutions (filed by Mr. Vallee of Franklin) honoring Army Lieutenant Colonel Robert A. Dwan upon his return from Afghanistan; and

Joanne Holbrook Patton.

Resolutions (filed by Messrs. Vallee of Franklin and Hill of Ipswich) honoring Joanne Holbrook Patton for her lifetime of service to our nation;

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 Ms. Garry of Dracut, 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:

Housing authorities,—salaries.

By Ms. Campbell of Methuen, a petition (subject to Joint Rule 12) of Linda Dean Campbell and others relative to housing and redevelopment authority executive directors.

Contractors,—requirements.

By Ms. Creedon of Brockton, a petition (subject to Joint Rule 12) of Geraldine M. Creedon relative to notification requirements between contractors.

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

Papers from the Senate.

The engrossed Bill relative to the regulation of salaries of employees of the town of Weston serving in the armed forces of the United States (see House, No. 3463), came from the Senate with the endorsement that it had been amended in section 1, in line 3, striking out the words “, either before or after the effective date of this act,”; and striking out section 2 and inserting in place thereof the following section:

Weston,—
military
employees.

“SECTION 2. Payments made by the town of any amounts authorized pursuant to section 1 are hereby ratified, validated and confirmed as though this act had been in full and effect on the date such payments were made.”

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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 Senate Bill relative to improving accountability and oversight of educational collaborative (Senate, No. 2105, 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 3889), with a further amendment striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2142.

Educational
collaborative.

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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.

A Bill relative to CPR certification for athletic coaches (Senate, No. 2109, amended in section 1, in line 5, by striking out the words “physically disabled coaches” and inserting in place thereof the words “a coach with a physical disability”) (on Senate, No. 261 and House, Nos. 163, 1920 and 2711), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

CPR
certification.

A Bill establishing a sick leave bank for Michael Foti, an employee of the Department of Correction (Senate, No. 2088) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Michael
Foti,—
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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

A Bill establishing a special reserve fund in the town of Millville (Senate, No. 1879, amended by inserting after section 2 the following section:

Millville,—
reserve
fund.

“SECTION 2A. The board of selectmen or the executive secretary of the town of Millville may authorize payments from the special reserve fund.”) (on a petition) [Local Approval Received], passed to be

engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston,—
dog
violations.

A petition (accompanied by bill, Senate, No. 2144) of Anthony Petrucci (with the approval of the mayor and city council) for legislation to expand the provisions of chapter 40U for the enforcement of dog violations in the city of Boston, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Dighton
Water
District.

A petition of Marc R. Pacheco and Patricia A. Haddad (by vote of the town) for legislation relative to the Dighton Water District, came from the Senate referred, under suspension of Joint Rule 9, to the committee on Municipalities and Regional Government.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2103) was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

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 following petitions:

Charitable
solicitations.

Petition (accompanied by bill) of Pearl Cohen for legislation to further regulate certain charitable solicitations. To the committee on Consumer Protection and Professional Licensure.

Intimidation.

Petition (accompanied by bill) of David Paul Linsky relative to intimidation in the criminal justice system. To the committee on the Judiciary.

Corporal
Nicholas G.
Xiarhos
Bridge.

Petition (accompanied by bill) of Demetrius J. Atsalis for legislation to designate a certain bridge connecting the towns of Dennis and Yarmouth as the United States Marine Corporal Nicholas G. Xiarhos Bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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:

Truro,—
land.

Relative to the exchange of certain land in the town of Truro (House, No. 3312) [Local Approval Received];

Hanover,—
revolving fund.

Permitting the town of Hanover to establish a parks and recreation revolving fund (House, No. 3502) [Local Approval Received];

Scituate,—
Brian
Stewart.

Authorizing the town of Scituate to continue the employment of chief of police Brian E. Stewart (House, No. 3834) [Local Approval Received];

Tax basis
rules.

To continue tax basis rules for property acquired from decedents (House, No. 3915); and

Stephen
Gladding,—
sick leave
bank.

Establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (House, No. 3935);

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.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on a petition, a Bill to ensure Massachusetts elderly citizens to be notified of health programs available to them (House, No. 182).

Elderly,—
health
programs.

By the same member, for the same committee, on a petition, a Bill relative to assisted living residences (House, No. 1100).

Assisted
living,—
training.

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

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on House, Nos. 185 and 1965, a Resolve providing for an investigation and study by a special commission relative to elder protective services (House, No. 1965). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Elder
protective
services,—
commission.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to access to epinephrine in schools (House, No. 594), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3959).

Epinephrine,—
schools.

By the same member, for the same committee, that the Bill relative to the hemophilia advisory committee (House, No. 1526), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3960).

Hemophilia
advisory
committee.

By the same member, for the same committee, that the Bill relative to the transporting of deceased persons (House, No. 1545), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3961).

Transporting
deceased
persons.

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

Engrossed Bill.

The engrossed Bill authorizing the town of Natick to grant certain licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3725, amended) (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.

Bill
enacted.

Orders of the Day.

House bills

Relative to the duration of contract with the chief of police in the town of Natick (House, No. 3333) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Relative to the procurement and award of contracts for certain affordable housing in the city of Boston (House, No. 3853);

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.

Recess.

Recess.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

*Emergency Measure.*Educational
collaborative.

The engrossed Bill relative to improving accountability and oversight of educational collaborative (see Senate, No. 2105, 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 3 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At thirteen minutes before one o'clock P.M., 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.