

## JOURNAL OF THE HOUSE.

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Thursday, April 11, 2013.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her 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:

Matthew  
Faulkner.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Matthew Thomas Faulkner on receiving the Eagle Award of the Boy Scouts of America; and

American  
Numismatic  
Association.

Resolutions (filed by Representatives Canavan of Brockton, Brady of Brockton and Cronin of Brockton) congratulating the American Numismatic Association on their ninetieth National Coin Week being held the week of April 21-27, 2013;

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

### *Communications.*

#### Communications

Flexible  
health care  
spending  
accounts.

From the Health Policy Commission (see Section 263 of Chapter 224 of the Acts of 2012) submitting a report relative to increasing the use and adoption of flexible spending accounts, health reimbursement arrangements, health savings accounts and similar tax-favored health plans and developing and implementing incentives to increase the utilization of these types of plans [Copies of the report were forwarded to the House and Senate committees on Ways and Means and the joint committee on Health Care Financing]; and

Transit  
authority,—  
passenger  
mile ratios.

From the Rail and Transit Division of the Massachusetts Department of Transportation (see subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting a report relative to the net operating investment per passenger mile ratio for the fiscal years 2011 and 2012 (based on actual data), and projections for fiscal years 2013, 2014 and 2015;

Severally were placed on file.

### *Petitions.*

Keith M.  
Adams,—  
sick leave.

Mr. Cutler of Duxbury presented a petition (subject to Joint Rule 12) of Josh S. Cutler for legislation to establish a sick leave bank for Keith M. Adams, an employee of the Department of Public Health; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Wong of Saugus, 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.

Petitions severally were presented and referred as follows:

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant and Jonathan Ruda relative to limiting the revenue growth factor in determining contributions by municipalities for local schools and school districts. School funding,—  
local contribution.

By Mr. Linsky of Natick (by request), a petition (subject to Joint Rule 12) of W. Bradford Chase, Jr. for legislation to protect the rights and privileges granted under the Constitution of the United States and the Massachusetts Constitutions from foreign jurisdictions. Foreign judgments.

By Mr. Mariano of Quincy, a petition (subject to Joint Rule 12) of Ronald Mariano relative to requirements for the issuance of a learner's permit to operate a motorcycle. Motorcycles,—  
learner's permits.

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

*Papers from the Senate.*

A petition (accompanied by bill, Senate, No. 1765) of Thomas M. McGee, Robert F. Fennell, Steven M. Walsh, Lori A. Ehrlich and other members of the General Court (with the approval of the mayor and city council) for legislation relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc, was referred, in concurrence, to the committee on Public Service. Gregory LeBlanc,—  
retirement benefits.

A petition (accompanied by bill) of Thomas P. Kennedy for legislation to establish a sick leave bank for Robert James Boucher, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service. Robert James Boucher,—  
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1767) was referred, in concurrence, to the committee on Public Service.

*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 joint petition of John W. Scibak and Michael R. Knapik for legislation to establish a sick leave bank for John Gustavis, an employee of the Hampshire County Sheriff's Department. Under suspension of the rules, on motion of Mr. Wong of Saugus, 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. John Gustavis,—  
sick leave.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 1, reported, in part, a Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, com- General Appropriation Bill.

General  
Appropriation  
Bill.

missions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400) [Total appropriation: \$38,826,200,824.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Subsequently Mr. Coppinger of Boston, for said committee, reported that the matter be scheduled for consideration by the House; and, under the provisions of House order No. 3399, the bill was placed in the Orders of the Day for Monday, April 22, for a second reading.

Spencer-East  
Brookfield  
School District.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to the financial condition of the Spencer-East Brookfield Regional School District (House, No. 3409).

Firefighters,—  
grant  
program.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing an emergency equipment grant program for firefighters (House, No. 2116).

Jet ski  
safety.

By the same member, for the same committee, on a petition, a Bill to jet ski safety (House, No. 2117).

AMBER  
Alert  
plan.

By the same member, for the same committee, on a petition, a Bill establishing the Massachusetts child AMBER Alert plan (House, No. 2160).

Falmouth,—  
land.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the conveyance of real property by the Commonwealth in the town of Falmouth (House, No. 2853).

Congo,—  
contracts.

By the same member, for the same committee, on a petition, a Bill relative to Congo conflict minerals (House, No. 2898).

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

Abington,—  
town  
charter.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a joint petition, a Bill amending the charter of the town of Abington (House, No. 3355) [Local Approval Received].

Sterling,—  
investment  
fund.

By the same member, for the same committee, on a petition, a Bill relative to the capital investment fund of town of Sterling (House, No. 3357) [Local Approval Received].

Framingham,—  
liens.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Framingham to place municipal charge liens on certain properties in the town of Framingham for nonpayment of any local charges, fee or fine (House, No. 3358) [Local Approval Received].

Hingham,—  
land.

By the same member, for the same committee, on Senate No. 951 and House, No. 3232, a Bill authorizing the town of Hingham to change the use of certain parcels of land in the town (House, No. 3411) [Local Approval Received].

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

*Emergency Measure.*

Deane  
Smith,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Deane Smith, an employee of the Department of Correction (see House, No. 2292), 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 4 to 0. Sent to the Senate for concurrence.

*Orders of the Day.*

The Senate Bill establishing a sick leave bank for Celia Gentile, and employee of the Department of Correction (Senate, No. 1753), 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.

The House Bill establishing a sick leave bank for Irene Archambault, an employee of the Trial Court (House, No. 3380) was read a third time. Third reading bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by adding the following sentence: "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court." The report was accepted.

The amendment then was adopted; and the bill (House, No. 3380, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill designating the former Canton Airport site as the 1st Lt. Arthur E. Farnham, Jr., and SSgt. Thomas M. Connolly, Jr. Memorial Park, Neponset River Reservation (House, No. 704), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Pending the question on passing the bill to be engrossed, Mr. Galvin of Canton moved to amend it in line 3 by striking out the following: "1st Lt." and inserting in place thereof the following: "Lt Col", in said line 3 by striking out the following: "SSgt." and inserting in place thereof the following: "TSgt", in line 5 by striking out the word "Forces" and inserting in place thereof the word "Force"; and by striking out the title and inserting in place thereof the following title: "An Act designating the former Canton Airport site as the Lieutenant Colonel Arthur E. Farnham, Jr. and Technical Sergeant Thomas M. Connolly, Jr. Memorial Park, Neponset River Reservation." Farnham Connolly Park.

The amendments were adopted; and the bill (House, No. 704, amended) was passed to be engrossed. 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 Tuesday next at eleven o'clock A.M. Next sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.