

Thursday, May 3, 2012.

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 — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the town of Swansea Volunteer Fire Department [see House, No. 3996, amended] (for message, see House, No. 4066), was filed in the office of the Clerk on Tuesday, May 1. Swansea,— Volunteer Fire Department.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O'Day of Worcester, to the committee on Bills in the Third Reading.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Spencer Barrows on receiving the Eagle Award of the Boy Scouts of America; Spencer Barrows.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Virginia Smith Alterio on her retirement as Director of the Wellesley Nursery School in the Hills in the town of Wellesley; Virginia Smith Alterio.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating the town of Wellesley on the occasion of the dedication of the 2012 Wellesley High School; and Wellesley High School.

Resolutions (filed by Mr. Webster of Pembroke) congratulating Charles W. Mann on the occasion of his retirement as Moderator for the town of Hanson; Charles W. Mann.

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

Communications.

Credit union
parity,—
proposed
regulations.

A communication (accompanied by bill, House No. 4067) from the Division of Banks (under Section 6A of Chapter 171 of the General Laws) submitting proposed amendments to 209 Commonwealth of Massachusetts Regulations 50.00 et seq., Parity with Federal Credit Unions, was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Alcohol and
substance free
housing.

A communication from the Bureau of Substance Abuse Services (under section 10 of Chapter 283 of the Acts of 2010) relative to the study of alcohol and substance free housing, was placed on file.

Orders.

The following order (filed by Mr. Scibak of South Hadley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Public
Service,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, June 21, 2012, the time within which to make its final report on current House documents numbered 718, 1593, 2453 and 3980.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Transporta-
tion,—
extension
of time for
reporting.

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Tuesday, May 1, 2012, the time within which to make its final report on current House documents numbered 907, 914, 918, 928, 930, 931, 949, 1782, 1794, 1795, 1796, 1797, 1798, 1799, 1801, 1802, 1803, 1805, 1816, 2633, 2639, 2644, 2645, 2648, 2653, 2654, 2657, 2658, 2659, 2660, 2664, 2914, 2986, 3072, 3079, 3094, 3095, 3096, 3244, 3245, 3248, 3382, 3420, 3852, and 3966.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus, the order was considered forthwith.

Pending question on the adoption of the order, the same member moved to amend it by striking out the date "Tuesday, May 1, 2012" and inserting in place thereof the date "Tuesday, May 8, 2012". The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

*Papers from the Senate.**Reports*

Of the committee on Health Care Financing, asking to be discharged from further consideration of the following Senate bills:

Statements.

Relative to false, fraudulent or misleading statements (Senate, No. 408); and

Relative to oral cancer therapy (Senate, No. 1070);

Oral
cancer.

And recommending the same severally be referred to the Senate committee on Ways and Means.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the committee.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3410) of Carolyn C. Dykema and others relative to a 14-day continuance by the court when dealing with veterans of the armed forces,— and recommending that the same be referred to the committee on Veterans and Federal Affairs.

Veterans,—
court.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill validating the actions taken at the annual town election in the town of Wareham (printed in House, No. 4032), be scheduled for consideration by the House.

Wareham,—
elections.

Under suspension of Rule 7A, on motion of Ms. Wolf of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to payment for use of ambulance services (House, No. 3917), be scheduled for consideration by the House;

Ambulance
services,—
payment.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (House, No. 4062) [Local Approval Received], be scheduled for consideration by the House;

Sudbury,—
property tax
exemption.

Under suspension of Rule 7A, on motion of Mr. Cantwell of Marshfield, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kristin LaPlante (House, No. 4061). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kristin
LaPlante,—
sick leave
bank.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

Mark Lewis,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (House, No. 4065). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Walsh of Framingham, the bill was read a second time forthwith; and it was ordered to a third reading.

Prescription
coupons.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to prescription transfer coupons (House, No. 273).

Accountable
care.

By the same member, for the same committee, on a petition, a Bill to enable the formation of accountable care organizations (House, No. 279).

Family
therapy.

By the same member, for the same committee, on a petition, a Bill relative to increasing consumer access to licensed marriage and family therapy (House, No. 295).

Observation
services.

By the same member, for the same committee, on a petition, a Bill to define the use of observation services (House, No. 304).

Supplemental
insurance.

By the same member, for the same committee, on a petition, a Bill relative to promoting supplemental insurance coverage (House, No. 306).

Clinical
services,—
access.

By the same member, for the same committee, on Senate, No. 473 and House, No. 332, a Bill to improve access to alcohol and other drug clinical services (House, No. 332).

Medical
loss
ratios.

By the same member, for the same committee, on a petition, a Bill relative to medical loss ratios (House, No. 1206).

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

Bullying in
schools.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 219 and House, No. 3584, a Bill relative to bullying in schools (House, No. 4063).

Board of Bank
Incorporation,—
transactions.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to certain actions and transactions before the Board of Bank Incorporation and the Commissioner of Banks (House, No. 287).

Division of
Banks.

By the same member, for the same committee, on a petition, a Bill relative to certain regulations of the Division of Banks (House, No. 289).

Legal
investments.

By the same member, for the same committee, on House, Nos. 290 and 2072, a Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 290).

Division of
Banks.

By the same member, for the same committee, on a petition, a Bill establishing uniform enforcement provisions and making other changes applicable to certain licensees under the jurisdiction of the Division of Banks (House, No. 1196).

- By the same member, for the same committee, on a petition, a Bill relative to confidentiality of examination reports of the Division of Banks (House, No. 1198). Division of Banks.
- By the same member, for the same committee, on a petition, a Bill relative to auto insurance reinspection requirements (House, No. 2769). Auto insurance.
- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to establish the uniform enforcement of foreign judgments (House, No. 1277). Foreign judgments,—enforcement.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to psychology training (House, No. 1003). Psychology training.
- By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to certain banking laws (House, No. 288). Banking laws.
- By the same member, for the same committee, on a petition, a Bill relating to Division of Insurance maintenance assessments (House, No. 296). Division of Insurance.
- By the same member, for the same committee, on a petition, a Bill relating to fire insurance (House, No. 298). Fire insurance.
- By the same member, for the same committee, on a petition, a Bill relative to continuing education of insurance producers (House, No. 300). Insurance,—education.
- By the same member, for the same committee, on a petition, a Bill revising certain provisions of the mutual holdings company law (House, No. 1210). Mutual holdings companies.
- By the same member, for the same committee, on a petition, a Bill relative to requiring insurance for taxicabs and commercial vehicles (House, No. 2032). Commercial vehicles.
- By the same member, for the same committee, on a petition, a Bill relative to insurance surcharges (House, No. 2058). Insurance surcharges.
- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to provide landowner's title protection (House, No. 2794). Title protection.
- By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill to protect the health and safety of people in restaurants (House, No. 1462). Restaurants,—safety.
- By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to honesty in bidding for public works (House, No. 3657). Public works,—bidding.
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill validating the actions taken at the annual town election in the town of Wareham (see Senate bill printed as House, No. 4032) (which originated in the Senate), 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 agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Bill
enacted.

The engrossed Bill authorizing the town of Natick to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3868) (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.

Orders of the Day.

Third
reading
bills.

House bills
Relative to Hamilton Development Corporation (House, No. 3710);
and
Authorizing the town of Hingham to allow the lease and refurbishment of the Bathing Beach Bathhouse (House, No. 3856);

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. Sent to the Senate for concurrence.

Order.

Next
sitting.

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.

At ten minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.