

Monday, May 21, 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.

Resolutions.

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

Brandon Nathaniel Prentiss.

Resolutions (filed by Mr. Calter of Kingston) congratulating Brandon Nathaniel Prentiss on receiving the Eagle Award of the Boy Scouts of America; and

Edward Devotion School.

Resolutions (filed by Mr. Smizik of Brookline) congratulating the third grade students at the Edward Devotion School in Brookline on their participation in the school's twenty-eighth annual JFK essay and poetry program entitled, "What John F. Kennedy Means to Me";

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.

Communications

Police chiefs,—civil service lists.

From the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a list of certain police chief promotional lists which have been revoked as of May 21, 2012.

Joint Labor-Management Committee.

From the Joint Labor-Management Committee for Municipal Police and Fire (under the provisions Clause (a) of Subsection 3 of Section 1 of Chapter 589 of the Acts of 1987) submitting a report relative to results of involving the resolution of a dispute of the provisions of collective bargaining agreements; and

Public Employees Retirement Administration.

From the Public Employees Retirement Administration Commission (under Chapter 114 of the Acts of 2000) submitting a cost analysis of the Teacher Recruitment, Retention and Retirement Act;

Severally were placed on file.

Order.

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

State Administration and Regulatory Oversight committee,—

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Saturday, June 30, 2012, within which to make its final report on

current House documents numbered 4037, relative to state administration and regulatory oversight. extension of time for reporting.

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 Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the city of Holyoke to convey a certain parcel of land to the Holyoke Community College Foundation (House, No. 3849), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 6 and inserting in place thereof the following section: Holyoke,—land.

“SECTION 6. This act shall take effect as of October 7, 2002.”

Under suspension of Rule 35, on motion of Mr. Kane of Holyoke, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Wednesday, June 27, 2012 within which to make its final report on current Senate documents numbered 1005 and 1927, relative to municipalities and local government issues. Municipalities and Regional Government committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until June 29, 2012 within which to make its final report on residue of current House document numbered 4011, relative to transportation matters. Transportation committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

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 House Bill relative to infrastructure, investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093) and the recommended substitute bill (House, No. 4110) (for order, see House, No. 4111). The order was considered forthwith; and it was adopted. Economic growth.

By Mr. Binienda of Worcester, for the committee on Rules, that Joint Rule 7A be suspended on the petition of Joann DeBettencourt (with the approval of the county commissioners) granting creditable Joann DeBettencourt,—sick leave bank.

Joann DeBettencourt,—
sick leave
bank.

service to employees of the Westwood Dedham Water District. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 7A was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Disabled,—
rape.

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 petition of Elizabeth A. Poirier and others relative to rape of a person with disabilities. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Stephen T. O'Donnell
Memorial
Highway.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain section of state highway Route 53, Washington Street, in the city of Weymouth as the Stephen T. O'Donnell Memorial Highway (House, No. 3421). 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 the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Economic
growth.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093), ought to pass with an amendment substituting a bill with the same title (House, No. 4110).

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 substitution of a bill with the same title (House, No. 4107),— 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 substituted bill (House, No. 4110) was ordered to a third reading.

Patricia
Chasse,—
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 Patricia Chasse (House, No. 4094), be scheduled for consideration by the House.

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

Report of the committee on Rules of the two branches, acting concurrently, that the House Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 2673, changed), ought NOT to pass (under Joint Rule 10).

Gender responsive programming,— study.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith, the question being: “Shall this resolve be rejected?”. The House then refused to reject the resolve. The resolve then was recommitted to the committees on Rules of the two branches, acting concurrently, on motion of Ms. Coakley-Rivera of Springfield.

Mr. Binienda of Worcester, for the committees on Rules, then reported that the foregoing Resolve ought to pass. 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 a petition, a Bill relative to create [sic] cranberry nutrient management study commission (House, No. 264).

Cranberry nutrients,— study.

By the same member, for the same committee, on a petition, a Resolve relative to protecting the archaeological, geological and fossil resources of western Massachusetts (House, No. 2007, changed in line 20 by inserting after the word “grants,”, the first time it appears, the word “and”, in line 21 by striking out the words “private gifts and donations,”, and in line 23 by striking out the year “2012” and inserting in place thereof the year “2013”).

Western region,— preservation.

Severally read; and referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to continue the provision of supplemental health insurance to municipal employees (House, No. 3661), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Municipal employees,— health insurance.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill prohibiting the leasing of certain real property known as outer Brewster Island in Boston Harbor (House, No. 215).

Brewster Island,— land.

By the same member, for the same committee, on a petition, a Bill authorizing and directing the Division of Waterways to dredge the harbor area surrounding the Squantum Yacht Club and Wollaston Yacht Club in Quincy (House, No. 216).

Quincy Bay,— dredging.

By the same member, for the same committee, on a petition, a Bill requiring the timely adoption of greenhouse gas emission limits for the year 2030 (House, No. 219).

Greenhouse gases.

By the same member, for the same committee, on a petition, a Bill requiring recycling of lead acid batteries (House, No. 256).

Batteries,— recycling.

By the same member, for the same committee, on a petition, a Bill to authorize the Department of Food and Agriculture to expend a certain sum of money for integrated pest management and control of invasive plants (House, No. 262).

Pest and plant control.

Moose population.

By the same member, for the same committee, on a petition, a Bill relative to the moose population in the Commonwealth (House, No. 1996).

Farmers' markets.

By the same member, for the same committee, on a petition, a Bill relative to farmers' markets (House, No. 2018).

Greenhouse gasses.

By the same member, for the same committee, on a petition, a Bill relative to greenhouse gasses and arbor damage (House, No. 2776).

Meat and poultry.

By the same member, for the same committee, on a petition, a Bill to strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351).

Chatham,—
conservation land.

By the same member, for the same committee, on a petition, a Bill relative to the town of Chatham conservation commission and land within the town of Harwich (House, No. 3734) [Local Approval Received].

Transportation department,—
reforms.

Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 4011, reported, in part, a Bill relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4109).

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

Housing Authority.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill Massachusetts Housing Authority (House, No. 2128).

Domestic violence.

By the same member, for the same committee, on House, No. 386, a Bill relative to housing rights for victims of domestic violence (House, No. 4108).

Acton and
Boxborough,—
water.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill amending Chapter 372 of the Acts of 1963 relative to the rights of the water supply district of Acton to acquire any water source in the town of Boxborough (House, No. 3820) [Local Approval Received].

Worcester,—
park land.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033) [Local Approval Received].

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

By Mr. Scibak of South Hadley, for the committee on Public Service, that the following recommitted bills ought to pass:

Tyringham,—
Peter Curtin.

Authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (House, No. 3524, changed) [Local Approval Received]; and

Tyringham,—
Rainsford
Morehouse.

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed) [Local Approval Received].

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

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:

Insurance.

Relating to the Division of Insurance maintenance assessments (House, No. 296);

Relative to municipal use of insurance proceeds (House, No. 557);	Id.
Revising certain provisions of the mutual holdings company law (House, No. 1210);	Mutual holdings company.
Relative to collective bargaining agreements (House, No. 1402);	Bargaining.
Relative to the collection of personal property taxes (House, No. 2500);	Property taxes.
Relative to honesty in bidding for public works (House, No. 3657);	Public contracts.
Relative to reducing outsourcing (House, No. 3684);	Outsourcing.
Proving retirement benefits for an employee of Western Massachusetts Communities (House, No. 3936, changed); and	Wendy Foxmyn,—retirement.
To provide personal care attendant orientation program (House, No. 4081);	Care attendants.
Severally placed in the Orders of the Day for the next sitting for a second reading.	

Orders of the Day.

The Senate Bill designating a certain bridge in the town of Barre as the Purple Heart Bridge (Senate, No. 1724), 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.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.