

Thursday, July 12, 2012.

Met at six minutes after 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.

Peter
Michael
Coyne.

Resolutions (filed with the Clerk by Mr. McMurtry of Dedham) congratulating Peter Michael Coyne on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted

Papers from the Senate.

Children,—
water
safety.

The Senate Bill relative to water safety for children (Senate, No. 2075, 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 3088, amended) with a further amendment inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred option of this act would tend to defeat its purpose, which is to forthwith improve water safety for children in the commonwealth, therefore it is hereby declared to an emergency law, necessary for the immediate preservation of the public safety."

Under suspension of Rule 35, on motion of Ms. Andrews of Orange, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith. The House then non-concurred with the Senate in its further amendment. Sent to the Senate for its action.

Tyringham,—
Rainsford
Morehouse.

The House Bill authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 by striking out the date "December 31, 2012" (as changed by the committee on Public Service) and inserting in place thereof the date "August 6, 2015".

Under suspension of Rule 35, on motion of Mr. Pignatelli of Lenox, 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.

A Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338) (on Senate, No. 1579), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Lawrence,—
land.

Bills

Designating certain bridges under the control of the Massachusetts Department of Transportation in the town of Raynham and the city of Taunton (Senate, No. 2337) (on Senate, No. 1775); and

Raynham and
Taunton,—
bridges.

Establishing a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services (Senate, No. 2339) (on Senate bill No. 2332);

Laurie
Bourassa,—
sick leave
bank.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill) of Benjamin B. Downing and Paul W. Mark for legislation to authorize the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Hinsdale,—
land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2343) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill authorizing the exchange of certain parcels of land in the town of Marshfield (Senate, No. 2137, amended); and
House bills

Marshfield,—
land.

Relative to improving health care quality and cost in the medical device industry (House, No. 1507); and

Medical
devices.

Authorizing the town of Northborough to convey certain parklands to abutters (House, No. 4075);

Northborough,—
land.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to promote healthy people and a healthy economy in Massachusetts (House, No. 1157, changed), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4249) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Health
impact
reports.

Midwives,—
certification.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to certified professional midwives (House, No. 2368), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4253).

Social
workers,—
safety.

By the same member, for the same committee, that the Bill relative to promote health through workplace safety for social workers (House, No. 3864), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4254).

Lupus,—
study.

By the same member, for the same committee, that the Bill to establish a lupus erythematosus study and registry (House, No. 1481), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4255).

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

Health
claims,—
denials.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, No. 1204, a Bill to limit retroactive denials of health insurance claims (House, No. 4257).

Disability
policies.

By the same member, for the same committee, on House, No. 1174, a Bill requiring mental health disclosure for disability policies (House, No. 4258).

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

Needham,—
liquor
license.

By Mr. Spiliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises under article of Amendment XLIX (House, No. 4187) [Local Approval Received].

Charities,—
auto
insurance.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to encouraging volunteerism for non-profit organizations providing transportation options for seniors (House, No. 3921).

Chatham,—
charter.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the charter of the town of Chatham (House, No. 4141) [Local Approval Received].

Wellfleet,—
land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (House, No. 4171) [Local Approval Received].

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

Orders of the Day.

Senate bills

Third
reading
bills.

Authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises (Senate, No. 97); and

Establishing a sick leave bank for Heidi A. Lennon, an employee of the Department of Children and Families (Senate, No. 2319);

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, in concurrence.

The House Bill authorizing the town of Hopedale to allow direct deposit of receipts into certain funds (House, No. 3937), 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.

Third reading bill.

The House Bill establishing a sick leave bank for Susan Tremblay, an employee of the Department of Correction (House, No. 4192) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Third reading bill amended.

Pending the question on passing the bill to be engrossed, Mr. Rosa of Leominster moved that it be amended by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4192, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (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.

Recess.

Reports of Committees.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4104) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to the appointment of special police officers in the city of Fitchburg, notwithstanding the maximum age requirement. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith.

Fitchburg,—special police officers.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

At twenty-six minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past two o'clock; and at twenty-three minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

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:

Louise Moson,—
sick leave.

Joint petition (accompanied by bill) of Joseph F. Wagner and James T. Welch for legislation to establish a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation. To the committee on Public Service.

Watertown,—
Menton
Corner.

Petition (accompanied by bill) of Jonathan Hecht, William N. Brownsberger and John J. Lawn, Jr., for legislation to designate a certain corner in the town of Watertown as Menton Corner. To the committee on State Administration and Regulatory Oversight.

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

Engrossed Bills.

Engrossed bills

Bills
enacted.

Establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles (see House, No. 4159, amended); and

Establishing a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services (see House, No. 4166, amended);

(Which severally originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Recess.

At nineteen minutes before three o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until four o'clock; and at five minutes after four o'clock the House was called to order with Mr. Donato in the Chair.

Bill
enacted.

The engrossed Bill relative to water safety for children (Senate, No. 2075, amended) (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; and it was signed by the acting Speaker and sent to the Senate.

Messages from the Governor.

Mashpee
Wampanoag
Tribe,—
state
compact.

A message from His Excellency the Governor submitting the "Tribal State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts" (House, No. 4260), was filed this day in the office of the Clerk.

The message was read; and it was referred under Rule 30, with the accompanying draft of a communication, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Id.

A message from His Excellency the Governor for the passage of a resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (House, No. 4261), was filed this day in the office of the Clerk.

The message was read; and it was referred under Rule 30, with the accompanying draft of a resolve, to the committee on Economic Development and Emerging Technologies. 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 Monday next at eleven o'clock A.M. Next sitting.

At twenty-two minutes after four o'clock P.M., on motion of Mr. Peterson of Grafton (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.