Monday, July 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.

Resolutions.

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

Mark Mills.

Resolutions (filed by Ms. Ehrlich of Marblehead) congratulating Captain Mark Dennett Mills on his retirement from the Marblehead Police Department; and

Benjamin Kerrigan.

Resolutions (filed by Mrs. Garlick of Needham) congratulating Benjamin Joseph Kerrigan on receiving the Eagle Award of the Boy Scouts of America;

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.

Communication.

Renewable Heating and Cooling.

A communication from the Department of Energy Resources submitting a report entitled "Massachusetts Renewable Heating and Cooling: Opportunities and Impacts Study", was placed on file.

Special Reports.

Unemployment Trust Fund.

A monthly report of the Executive Office of Labor and Workforce Development (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for June, 2012;

Id.

A quarterly report of the Executive Office of Labor and Workforce Development (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund;

Annual reports

Charitable gaming.

Of the State Lottery Charitable Gaming Division (under the provision of Section 38 of Chapter 10 of the General Laws) for the fiscal year 2010;

Commissioner of Banks.

Of the Commissioner of Banks (pursuant to Section 13 of Chapter 167 of the General Laws) for the year 2010; and

Postpartum depression.

Of the special commission established (pursuant to Chapter 313 of the Acts of 2010) to make an investigation and study of the issue of post-

partum depression [copies of said report forwarded to the committees on Health Care Financing and Public Health].

Severally were placed on file.

Petition.

Mortgage payoffs,—titles.

Mr. Rogers of Norwood and Senator Rush presented a joint petition (subject to Joint Rule 12) of John H. Rogers and Michael F. Rush for legislation to provide remedies to consumers for clearing titles after the payoff of mortgages; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Hull,—land.

The House Bill authorizing the town of Hull to extend the lease of a certain building in the town (House, No. 3650), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. The town of Hull, acting by and through its board of selectmen, may, subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws, extend the lease of the property located at 435 Nantasket avenue, known as the 'Scout Building', and shown as plot 24 on assessors map 28 to the current lessees or their successors and assigns for not more than 25 years and on such terms and conditions as the board of selectmen considers to be in the best interests of the town for the benefit of the community.

SECTION 2. This act shall take effect upon its passage.".

Under suspension of Rule 35, on motion of Mr. Bradley of Hingham, 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.

Lawrence Marino,—sick leave bank.

The House Bill establishing a sick leave bank for Lawrence Marino, an employee of the Massachusetts Department of Transportation (House, No. 4158, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in lines 1 and 2, striking out the words "Massachusetts Department of Transportation" and inserting in place the words "registry of motor vehicles"; in lines 3, 6, and 7, striking out the word "department", each time it appears, and inserting in place thereof the word "registry"; striking out the emergency preamble and inserting in place 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 registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting place the following title: "An act establishing a sick leave bank for Lawrence Marino, an employee of the Registry of Motor Vehicles.".

Under suspension of Rule 35, on motion of Ms. Reinstein of Revere, 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.

Bills

Snow removal.

Relative to performance guarantees for costs of snow removal on certain subdivision roadways (Senate, No. 1564) (on a petition);

Lowell,— land.

Authorizing the Division of Capital Asset Management to grant to the city of Lowell easements over certain parcels of land (Senate, No. 2233) (on a petition);

Long-term care insurance.

To establish standards for long-term care insurance (Senate, No. 2359) (on Senate, No. 2134);

Geography.

Relative geography education (Senate, No. 2361) (on Senate bill No. 2194);

Childhood vaccine.

Establishing the Massachusetts childhood vaccine program (Senate, No. 2362) (on Senate bill No. 2120); and

Oral cancer.

Relative to oral cancer therapy (Senate, No. 2363) (on Senate bill No. 1070);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Uxbridge,— park.

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (Senate, No. 361) (on a petition);

Half-staff flags.

Authorizing flying the flag of the Commonwealth at half-staff upon the death of certain police officers and firefighters (Senate, No. 1573) (on a petition);

Tax board,— hearings.

Providing taxpayers a hearing at the appellate tax board (Senate, No. 2187) (on a petition); and

Hinsdale,— Johns Highway.

Designating a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns Memorial Highway (Senate, No. 2292) (on a petition);

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.

Lactation consultants,— regulate.

A petition (accompanied by bill) of Susan C. Fargo, Jennifer E. Benson and Denise Provost for legislation to regulate the practice and licensure of lactation consultants, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Public Health.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2373) was referred, in concurrence, to the committee on the Public Health.

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:

Leicester,— betterments and dams.

Joint petition (accompanied by bill) of John J. Binienda and Michael O. Moore that the Cedar Meadow Lake Watershed District within the town of Leicester be authorized to assess betterments and acquire dams within said town. To the committee on Revenue.

Halifax,— land.

Joint petition (accompanied by bill) of Thomas J. Calter (by vote of the town) relative to authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax [Local Approval Received]; and

Joint petition (accompanied by bill) of John W. Scibak and Stanley C. Rosenberg for legislation to direct the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley to said town; South Hadley,— land.

Severally to the committee on State Administration and Regulatory Oversight.

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

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Hingham to transfer and change the use of certain parcels of land in the town (House, No. 4275) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hingham,— land.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the change of use and the lease of certain land in the town of Lenox for a solar powered generation facility (House, No. 4277) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Lenox,— land.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (House, No. 4278) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Lee,— land.

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 Mr. Kafka, 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 following House bills be scheduled for consideration by the House:

To establish a sales tax holiday August [sic] 2012 (printed as Senate, No. 157); Tax holiday.

Designating a certain bridge in the town of Billerica in honor of William G. Greene, Jr. (House, No. 1802); and Billerica,— Greene bridge.

Authorizing the city of Newburyport to acquire interests in land in the town of Newbury (House, No. 4164); Newburyport,— Newbury 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.

Boston Housing Authority.

Report of the committee on Housing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4008) of Kevin G. Honan (with the approval of the mayor and city council) relative to a form of governance for the Boston Housing Authority. Under suspension of the rules, on motion of Mr. Honan of Boston, the report was considered forthwith.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Milk producers.

Relative to the milk producer's security fund reimbursement (House, No. 240);

Danvers,—land.

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers located along Maple Street (House, No. 847);

Meat and poultry.

To strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351); and

Topsfield,—land.

Discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the Division of Capital Asset Management to convey and grant all right, title, and interest in said discontinued portion to abutters (House, No. 3999);

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

Horseneck Beach,—fund.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill establishing a Horseneck Beach Reservation Trust Fund (Senate, No. 376, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4297.

Surgical technology.

By the same member, for the same committee, that the Senate Bill regulating surgical technology (Senate, No. 2058), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4298.

911 emergency communications districts.

By the same member, for the same committee, that the Senate Bill relative to regional 911 emergency communication districts (Senate, No. 2248, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4299.

Worcester,—land.

By the same member, for the same committee, that the Senate Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4300.

Legal investments.

By the same member, for the same committee, that the Bill relative to the list of legal investments prepared by the Commissioner of Banks

(House, No. 290), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4301).

By the same member, for the same committee, that the Bill authorizing the commissioner of capital asset management and maintenance to convey certain land in the town of Wilmington (House, No. 832, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4302). Wilmington,—land.

By the same member, for the same committee, that the Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4303). Debt management.

By the same member, for the same committee, that the Bill establishing a temporary workers right to know (House, No. 4076), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4304). Temporary workers.

By the same member, for the same committee, that the Bill prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4305). Mercury thermostats.

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

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to health insurance for elected officials in the town of Harwich (House, No. 4210) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee to Health Care Financing. Harwich,—elected officials.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (printed in House, No. 4134). Blackstone,—town election.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at a certain election held in the town of Lincoln (printed in House, No. 4135). Lincoln,—land.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the city of Springfield to exchange parcels of land (House, No. 4169) [Local Approval Received]. Springfield,—land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Fairhaven to grant an easement over certain [sic] (House, No. 4172) [Local Approval Received]. Fairhaven,—land.

By the same member, for the same committee, on a petition, a Bill regarding the town of Marion Open Space Acquisition Commission (House, No. 4188) [Local Approval Received]. Marion,—open space commission.

By the same member, for the same committee, on a petition, a Bill establishing a charter for the town of Hubbardston (House, No. 4209) [Local Approval Received]. Hubbardston,—charter.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Westborough (House, No. 4211) [Local Approval Received]. Westborough,—land.

Cohasset,—land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230) [Local Approval Received].

Oakham,—treasurer-collector.

By the same member, for the same committee, on a petition, a Bill establishing the position of treasurer-collector in the town of Oakham (House, No. 4232) [Local Approval Received].

Plympton,—fund.

By the same member, for the same committee, on a joint petition, a Bill relative to a special fund in the town of Plympton (House, No. 4276) [Local Approval Received].

Wales,—library fund.

By the same member, for the same committee, on a joint petition, a Bill creating a library building fund for the town of Wales (House, No. 4282) [Local Approval Received].

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

Engrossed Bills.

Engrossed bills

Bills enacted.

Designating a state road in the city of Waltham as Landry Way (see House, No. 920); and

Exempting the positions of Plumbing Inspector and Gas Fitting Inspector in the city of Newburyport from the civil service law and section 11 of chapter 142 of the General Laws (see House, No. 3848);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Third reading bills.

Authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163); and

Establishing a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation (House, No. 4280);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed. Sent to the Senate for concurrence.

Phosphorus runoff.

The House Bill relative to reducing phosphorus runoff (House, No. 3270), 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. Fernandes of Milford moved to amend it by substitution of a bill with the same title (House, No. 4306).

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

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

At twenty-three 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 day at eleven o'clock A.M., in an Informal Session.