Tuesday, July 24, 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:

Martin A. Sokoloff.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Dr. Martin A. Sokoloff on the occasion of his ninetieth birthday;

David Frongillo.

Resolutions (filed by Mr. Fernandes of Milford) congratulating David Frongillo on earning the Eagle Scout Award;

Milford,—softball team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating the Milford High School Scarlet Hawks softball team on winning the Massachusetts Division 1 championship;

Patrick Reimonn.

Resolutions (filed by Representatives Fernandes of Milford and Dykema of Holliston) congratulating Patrick Reimonn on earning the Eagle Scout Award; and

Dominika Ziu.

Resolutions (filed by Mr. Fresolo of Worcester) congratulating Dominika Ziu on the occasion of her ninetieth birthday;

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

Petitions.

Petitions severally were presented and referred as follows:

North Andover,—liquor license.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4308) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to authorize the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premise; and

Norfolk,—alcoholic beverages.

By Mr. Winslow of Norfolk, a petition (accompanied by bill, House, No. 4309) of Daniel B. Winslow (by vote of the town) for legislation to authorizing the town of Norfolk to grant an additional alcoholic beverage license for the sale of all alcoholic beverages not to be drunk on premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Kingston,—sewer system.

By Representative Calter of Kingston and Senator Murray, a joint petition (accompanied by bill, House, No. 4310) of Thomas J. Calter

and Therese Murray (by vote of the town) relative to regulating the grant of sewer system connections by the Board of Sewer Commissioners of the town of Kingston;

By Mr. Fallon of Malden, a petition (accompanied by bill, House, No. 4311) of Christopher G. Fallon and others (with the approval of the mayor and city council) relative to reorganizing certain administrative functions in the city of Malden; Malden,—reorganization.

By Mr. Fallon of Malden, a petition (accompanied by bill, House, No. 4312) of Christopher G. Fallon and others (with the approval of the mayor and city council) relative to amending the administrative organization of financial officers in the city of Malden; Id.

By Representative Frost of Auburn and Senator Moore, a joint petition (accompanied by bill, House, No. 4313) of Paul K. Frost, Richard T. Moore and others (by vote of the town) relative to amending the charter of the town of Oxford; Oxford,—charter.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4314) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to amend the charter of the town of North Andover; and North Andover,—charter.

By Representatives Wong of Saugus and Reinstein of Revere, a petition (accompanied by bill, House, No. 4315) of Donald H. Wong, Kathi-Anne Reinstein and Thomas M. McGee (by vote of the town) for legislation to authorize the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits; Saugus,—annual audits.

Severally to the committee on Municipalities and Regional Government.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4316) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to exempt certain positions in the town of North Andover from the civil service law. To the committee on Public Service. North Andover,—civil service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Sánchez of Boston, a petition (subject to Joint Rule 12) of Jeffrey Sánchez (with the approval of the mayor and city council) relative to public health data sharing between the Department of Public Health and the Boston Public Health Commission. Boston,—public health data.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh for legislation to establish a sick leave bank for Marilyn Smith, an employee of the Massachusetts Bay Transportation Authority. Marilyn Smith,—sick leave.

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

Papers from the Senate.

The House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2366; and inserting before the enacting clause the following emergency preamble: Economic growth.

"*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a business-friendly environ-

Economic growth.

ment that will stimulate job growth and improve the ease with which businesses can operate in the markets they serve, and to coordinate economic development activities funded by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.".

Conference committee.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner, Dempsey of Haverhill and Kuros of Uxbridge were appointed the committee on the part of the House. Sent to the Senate to be joined.

Id.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Candaras, Brewer and Ross had been appointed the committee on the part of the Senate.

Hingham,— Bathing Beach Bathhouse.

The House Bill providing for the lease and refurbishment of the Bathing Beach Bathhouse in the town of Hingham (House, No. 3856), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following paragraph:

"A lease entered into pursuant to this act shall be subject to chapter 30B of the General Laws.".

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.

Sutton,— easements.

A Bill relative to the conveyance of easements in the town of Sutton (Senate, No. 2369) (on Senate bill No. 2172), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Falmouth,— retirement board.

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 Timothy R. Madden, David T. Vieira and Therese Murray that the retirement board in the town of Falmouth be authorized to acquire property and equipment and employ personnel for the administration of the retirement system of said town. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Temporary workers.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a temporary workers right to know (House, No. 4076), be scheduled for consideration by the House, with the amendment previously recommended by the committee on

Ways and Means,— to amend the bill by substitution of a bill with the same title (House, No. 4304),— pending.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means, then was adopted; and the bill was ordered to a third reading.

Manufacturer's coupons.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to manufacturers' coupons and rebates (House, No. 1216), ought to pass [Cost: Greater than $100,000]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Teachers,— background checks.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 176 and House, Nos. 1936 and 4003, a Bill relative to background checks (House, No. 4307). Read; and referred, under Rule 33, to the committee on Ways and Means.

Boston Housing Authority.

By Mr. Honan of Boston, for the committee on Housing, on a recommitted petition, a Bill relative to a form of governance for the Boston Housing Authority (House, No. 4008) [Local Approval Received]. Read; and 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:

Plymouth,— charter.

Amending the charter of the town of Plymouth (Senate, No. 2295) [Local Approval Received]; and

Medford,— liquor license.

Authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4246) [Local Approval Received];

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

Senate bills

Horseneck Beach.

Establishing a Horseneck Beach Reservation trust Fund (Senate, No. 376, amended), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4297,— pending;

Surgical technology.

Regulating surgical technology (Senate, No. 2058), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4298,— pending;

911 emergency communication districts.

Relative to regional 911 emergency communication districts (Senate, No. 2248, amended), with an amendment previously recommended by

the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4299,— pending; and

Worcester,— land.

Authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4300,— pending; and

House bills

Legal investments.

Relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 290), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4301),— pending;

State group health insurance.

Relative to eligibility for state group health insurance (House, No. 704), with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4217),— pending;

Wilmington,— land.

Authorizing the commissioner of capital asset management and maintenance to convey certain land in the town of Wilmington (House, No. 832, changed), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4302),— pending.;

Prevailing wage.

Relative to prevailing wage (House, No. 2306), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4290),— pending;

Workplace safety.

To promote health through workplace safety for social workers (House, No. 3864), with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4254),— pending;

Debt management services.

Relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4304),— pending; and

Mercury thermostats.

Prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4305),— pending;

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

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

Senate bills

Ashburnham.

Authorizing the town of Ashburnham to dispose of certain equipment (Senate, No. 2271) [Local Approval Received]; and

Electronic mail accounts.

Relative to access to a decedent's electronic mail accounts (Senate, No. 2313, amended); and

House bills

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

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); Danvers,—land.

Requiring pain assessment and management in healthcare facilities (House, No. 1489); Pain assessment.

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

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); Topsfield,—land.

Establishing the town of Acton energy fund (House, No. 4106) [Local Approval Received]; Acton.

Authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142) [Local Approval Received]; Hatfield,—Thomas Osley.

Regarding an analysis of health education in the Commonwealth (House, No. 4148); Health education.

Authorizing the city of Springfield to exchange parcels of land (House, No. 4169) [Local Approval Received]; Springfield,—land.

Authorizing the town of Fairhaven to grant an easement over certain (House, No. 4172) [Local Approval Received]; Fairhaven,—land.

Amending special act, chapter 327 of the acts of 1988 to authorize the Orleans, Brewster and Eastham groundwater protection district to provide retirement benefits for district employees (House, No. 4175); Cape Cod groundwater.

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4213) [Local Approval Received]; Gardner,—civil service.

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4214) [Local Approval Received]; Id.

Authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230) [Local Approval Received]; Cohasset,—land.

Of special legislation authorizing the town of Braintree to grant additional liquor licenses (House, No. 4292) [Local Approval Received]; Braintree,—liquor license.

Relative to the town of Fairhaven issuing a package store/all alcohol license (House, No. 4293) [Local Approval Received]; and Fairhaven,—liquor license.

Relative to a liquor license for the Irish Social Club, Inc, in the City of Boston (House, No. 4294) [Local Approval Received]; Boston,—liquor license.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Lawrence Marino, an employee of the Registry of Motor Vehicles (see House, No. 4158, amended), 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 9 to 0. Sent to the Senate for concurrence. Lawrence Marino,—sick leave bank.

Orders of the Day.

Third reading bills.

House 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. 4273); and

Authorizing the town of Hingham to transfer and change the use of certain parcels of land in the town (House, No. 4275); and

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);

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. Severally sent to the Senate for concurrence.

Caterers,—licenses.

The Senate Bill providing for annual caterer's licenses for the service of alcoholic beverages at private functions (Senate, No. 2063, amended), 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, Representatives Poirier of North Attleborough, Moran of Boston and Ross of Attleboro moved to amend it in line 13 by inserting after the figure "18" the following "or a retailer licensed pursuant to section 15.". The amendment was rejected.

The bill (Senate, No. 2063, amended) then was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

Ordered, That when the House adjourns today, it adjourn to meet on tomorrow at one o'clock P.M.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at one o'clock P.M.