

Monday, July 30, 2012.

Met according to adjournment at eleven o'clock A.M., 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).

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. Pledge of allegiance.

Order.

On motion of Mr. Binienda of Worcester,—

Ordered, That, Notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Straus of Mattapoisett, Kulik of Worthington and Howitt of Seekonk while they deliberate on the committee of conference on the disagreeing votes of the two branches on the transportation bond bill. Transportation bill conferees,— voting.

Resolutions.

Resolutions (filed with the Clerk by Representatives Fox of Boston and Malia of Boston) honoring Judge Edward R. Redd on his retirement from the Massachusetts Trial Court, were referred, under Rule 85, to the committee on Rules. Edward R. Redd.

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

Petition.

Mr. Sullivan of Fall River presented a petition (subject Joint Rule 12) of David B. Sullivan and Michael J. Rodrigues relative to designating a certain bridge in the city of Fall River in honor Army Specialist Scott A. Andrews; and the same was referred, under Rule 24, to the committee on Rules. Fall River,— Andrews bridge.

Reports of Committees.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (House, No. 4335) [Local Approval Received]. Maynard,— land.

By the same member, for the same committee, on Senate, No. 639 and House, No. 2848, a Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (House, No. 4336) [Local Approval Received]. Id.

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

Maynard,—
land.

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

Under suspension of the rules, in each instance, on motion of Mr. Kafka of Stoughton, the bills was read a second time forthwith; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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. Severally sent to the Senate for concurrence.

Recess.

Recess.

At eight minutes before one o'clock P.M., on motion of Mr. Peter-son of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at three minutes after two o'clock, the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Utilities,—
emergency
service.

The Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, 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 4220) with further amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2404 and 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 provide for, emergency service response of public utility companies, 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 amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Co-operative
Banks.

The House Bill relative to co-operative banks (House, No. 3806, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 423 and 424 striking out the words “commissioner of revenue” and inserting in place thereof the word: “treasurer”.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

Ambulance
services.

The House Bill relative to payment for use of ambulance services (House, No. 3917), 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 text contained in Senate document numbered 2384.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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 House Bill relative to certain conservation restrictions in the town of Canton (House, No. 4103), came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 2 inserting in place thereof the following four sections: Canton,—
land.

“SECTION 2. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may amend a perpetual grant of rights, and perpetual conservation restrictions established by orders of taking of the metropolitan district commission, under the care and control of the department of conservation and recreation, for conservation, agricultural and natural resource purposes to the facilitate additional parking on the encumbered land presumed to be owned by Medical Information Technology, Inc., subject to any reasonable additional terms and conditions consistent with this act as the commissioner of capital asset management and maintenance and the commissioner of conservation and recreation may determine. The perpetual grant of rights is recorded in the Norfolk county registry of deeds in book 6420, page 144; and, the perpetual conservation restrictions were established by 2 separate orders of taking that are recorded in the Norfolk county registry of deeds in book 6427 at page 318 and page 324. The amended grant of rights and conservation restrictions shall be subject to the approval of the commissioner of conservation and recreation and shall ensure, at a minimum, (i) the continued protection of the conservation interests of the encumbered property, (ii) no increased development on the encumbered property other than additional parking for vehicles and (iii) a permanent, appropriate vegetative and treed buffer to screen the property from route 128.

SECTION 3. There shall be an independent appraisal of the instruments described in section 2, relative to the instruments as proposed for amendment, to determine the fair market value and the value in use as proposed in regard to the value of the property. Consideration for the amendment of the instruments shall be the fair market value, or the value in use, whichever is greater, in the increased appraised value of the underlying property, as determined by the commissioner of capital asset management and maintenance, to be paid by the owner of the land. The owner of the land shall assume all costs associated with engineering, surveys, appraisals, instrument preparation and other expenses considered necessary by the commissioner of capital asset management and maintenance to execute the amended instruments authorized by section 2. All consideration paid to the commonwealth as a result of sections 2 to 5, inclusive, shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws. As a condition of any amendment of the orders of taking, the owner of the property shall agree that no award of damages shall be due under chapter 79 of the General Laws; provided further, that the owner of the

Canton,—
land.

property shall execute a release and shall secure a release from any other person holding a legal or equitable interest in the property, in a form acceptable to the commissioner of capital asset management and maintenance, releasing the commonwealth and its employees from any claims, demands, interest or costs arising from or in consequence of the amended orders of taking under said chapter 79.

SECTION 4. The commissioner of capital asset management and maintenance shall submit each appraisal and a report thereon to the inspector general for the inspector general’s review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology used for the appraisal. The inspector general shall prepare a report of the review and file the report with the commissioner of capital asset management and maintenance. The commissioner of capital asset management and maintenance shall submit the appraisal, report and the inspector general’s review, approval and comments, if any, to the senate and house committees on ways and means and to the senate and house chairs of the joint committee on bonding, capital expenditures and state assets before the execution of the conveyances.

SECTION 5. To ensure a no-net-loss of lands protected for natural resource purposes, the property owner shall convey or cause to be conveyed to the commonwealth, or provide funding to department of conservation and recreation sufficient for such purposes, to acquire lands or interest in lands to be held by the department of conservation and recreation for conservation and recreation purposes. The land or interest in land, shall be of equal or greater resource value, as determined by the department of conservation and recreation, and shall be of greater or equal value than the increased appraised value of the underlying property. Any funds provided to the department of conservation and recreation under this section shall be deposited into in the Conservation Trust, established in section 1 of chapter 132A of the General Laws, to be expended to acquire lands or interests in land for conservation and recreation purposes.”; and

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 provide forthwith for the disposition of certain real property interests, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mr. Galvin of Canton, 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

Wine recorking.
Volunteer
firefighters.
Construction
contracts.
License
plates.

Relative to recorking of wine (Senate, No. 115) (on a petition);
To include call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187) (on a petition);
To ensure transparency of workforce participation in public construction contracts (Senate, No. 2386) (Senate bill No. 1568);
Relative to license plates in the Commonwealth (Senate, No. 2387) (on a petition);

Relative to the registration of podiatrists (Senate, No. 2396) (on Senate bill No. 1145); Podiatrists.

Relative to the disclosure of political spending (Senate, No. 2397, amended by adding the following: "If an independent expenditure or electioneering communication is paid for by an entity that is not an individual, the advertisement or communication must contain a written statement with the words 'For a listing of the contributors to this advertisement visit www.mass.gov/ocpf.'", and 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 enhance transparency in campaign finance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a Senate bill No. 2375);

To improve quality physical education (Senate, No. 2398) (on Senate No. 2221); Physical education.

Relative to creating a statutory housing restriction and providing remedies related to statutory housing (Senate, No. 2399) (on Senate, No. 587); Housing restrictions.

Relative to manufactured buildings (Senate, No. 2401) (on Senate bill No. 1566); and Manufactured buildings.

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402) (on Senate, No. 2203); Victims,—housing rights.

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

Relative to coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 449) (on a petition); and Property insurance.

Increasing the number of dental hygienists on the Board of Registration of Dentistry (Senate, No. 2328); Dental hygienists.

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.

Reports of Committees.

Mr. Wagner of Chicopee, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), recommending passage of a bill with the same title (House, No. 4352). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Economic growth.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Brighton,—land.

Brighton,—
land.

Mr. Kafka of Stoughton, for said committee, then reported that the matter 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.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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, in concurrence.

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

Lawrence,—
health care.

Relative to health insurance benefits in the city of Lawrence (House, No. 3857); and

Bullying.

Relative to bullying in schools (House, No. 4063);

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

Mr. Kafka of Stoughton, for said committee, then reported, in each instance, that the matters be scheduled for consideration by the House.

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

Dams.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill further regulating dam safety, repair and removal (Senate, No. 1985, amended), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4345. 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 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 (Senate, No. 1985, amended) was ordered to a third reading.

Drug
addiction.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4346. 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 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 (Senate, No. 2125, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4347. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Water storage facilities.

Mr. Kafka of Stoughton, for said committee, then reported that the matter 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2126, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill to establish standards for long-term care insurance (Senate, No. 2359), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4348. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Long-term care insurance.

Mr. Kafka of Stoughton, for said committee, then reported that the matter 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2359, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to oral cancer therapy (Senate, No. 2363), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4349. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Oral cancer therapy.

Mr. Kafka of Stoughton, for said committee, then reported that the matter 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2363, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924), ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 4350). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Child suicide,—study.

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

Child
suicide,—
study.

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

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

Insurance,—
portable
electronics.

By Mr. Dempsey of Haverhill, for the same committee, that the Bill regulating portable electronics insurance (House, No. 3954), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4351). 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 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 substituted bill was ordered to a third reading.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the following House bills ought to pass:

State
agencies,—
study.

Establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs and services (House, No. 3607); and

Colleges,—
study.

To form a commission on for-profit colleges, universities, and proprietary schools (House, No. 4085);

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

Emergency Measures.

Trust
companies.

The engrossed Bill relative to limited purpose trust companies (see House, No. 2040, 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.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Canton,—
conservation
restrictions.

The engrossed Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, 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.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Senate bills

Authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (Senate No. 2367, amended); and

New Bedford,—
land.

Relative to the conveyance of easements in the town of Sutton (Senate, No. 2369).

Sutton,—
easements.

Severally were discharged from their positions in the Orders of the Day and read a second time, under suspension of Rule 47, in each instance, on motion of Mr. Dempsey of Haverhill; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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 Senate 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), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Lawrence,—
land.

The 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 4338,— was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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. The bill (Senate, No. 2338, amended) then was sent to the Senate for concurrence in the amendment.

The House Bill relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX (House, No. 2582), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Needham,—
land.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a Bill authorizing the Division of Capital Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (House, No. 4339),— was adopted; and the substituted bill was ordered to a third reading.

Needham,—
land.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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. The bill (House, No. 4339) then was sent to the Senate for concurrence.

Halifax,—
land.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (House, No. 4320) [Local Approval Received], was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The 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. 4340),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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. The bill (House, No. 4340) then was sent to the Senate for concurrence.

South
Hadley,—
land.

The House Bill authorizing and directing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (House, No. 4322), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The 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. 4341),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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. The bill (House, No. 4341) then was sent to the Senate for concurrence.

Shrewsbury,—
land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance [sic] to convey certain parcels of land in the town of Shrewsbury (House, No. 4333) [Local Approval Received], was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The 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. 4342),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, 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. The bill (House, No. 4342) then was sent to the Senate for concurrence.

The House Bill relative to student access to educational services and exclusion from school (House, No. 4131), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Intellectual disability,— definition.

The 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. 4332),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill (having been 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, Ms. Walz of Boston moved to amend it in section 10, in line 163, by inserting after the word “agencies” the words “, education collaborative”; and the amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by adding the following section:

“SECTION 11. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs associated with providing alternative education services pursuant to section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed pursuant to section 5A of chapter 71B of the General Laws.”

The amendment was adopted; and the bill (House, No. 4332, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (Senate, No. 2154), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Bradley of Hingham; and it was passed to be engrossed, in concurrence.

Hingham,— sewer services.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Northborough to convey certain parklands to abutters (see House, No. 4075, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northborough,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yeas and nays No. 335.

[See Yeas and Nays No. 335 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Truro,—
land.

The engrossed Bill authorizing the town of Truro to amend a certain conservation restriction (see House, No. 3919) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 336.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 336 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Lenox,—
land.

The engrossed Bill authorizing the change of use and the lease of certain land in town of Lenox for a solar powered generation facility (see House, No. 4277) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 337.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 337 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

Shirley,—
property.

The engrossed Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (see House, No. 4273, amended) (which originated in the House), 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 10 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 338.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 338 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the transfer of land in the town of Sharon (see House, No. 3794, amended) (which originated in the House), 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.

Sharon,—
land
transfer.

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 10 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 339.

[See Yea and Nay No. 339 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant to the city of Lowell easements over certain parcels of land (see Senate, No. 2233) (which originated in the Senate), 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.

Lowell,—
easements.

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 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 340.

[See Yea and Nay No. 340 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (see Senate, No. 2250, amended) (which originated in the Senate), 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.

Worcester,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the

Worcester,—
land.

Constitution; and the preamble was adopted, by a vote of 8 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 341.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 341 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Groton,—
land.

The engrossed Bill authorizing the town of Groton to convey a certain parcel of land to the Department of Fish and Game and place conservation restrictions on certain parcels of land (see House bill printed in House, No. 3886) (which originated in the House), 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 8 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 342.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 342 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

*Message from the Governor — Bill Returned with
Recommendation of Amendment.*

Sentencing
and law
enforcement
tools.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed relative to sentencing and improving law enforcement tools [see House, No. 3818, amended] (for message, see House, No. 4343), was filed in the office of the Clerk on Saturday, July 28.

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 West Boylston, to the committee on Bills in the Third Reading.

Subsequently said committee reported recommending that the amendment recommended by the Governor be considered in the form as appearing in said message; and, there being no objection, the report was considered forthwith; and it was accepted.

After debate on the question on adoption amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 23 members voted in the affirmative and 132 in the negative.

Governor's amendment rejected,—yea and nay No. 343.

[See Yea and Nay No. 343 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the registration of motor vehicles and trailers [see House, No. 4238] (for message, see House, No. 4344), was filed in the Office of the Clerk on Friday, July 27.

Vehicles and trailers,—registration.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

Under suspension of Rule 12, on motion of Mr. Fernandes of Milford, the bill was considered forthwith, the question being: “Shall the bill pass, notwithstanding the objections of His Excellency the Governor?”

After debate on the question on passing said bill, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by said Article of the Constitution; and on the roll call 135 members voted in the affirmative and 19 in the negative.

Bill passed over Governor's veto,—yea and nay No. 344.

[See Yea and Nay No. 344 in Supplement.]

Therefore the bill passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Engrossed Bills — Land Takings.

The Speaker being in the Chair,— the engrossed Bill authorizing the exchange of land in the town of Rockland (see House bill printed in House, No. 4327) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rockland,—land.

Pending the question on passing the bill to be enacted, Mrs. Nyman of Hanover offered remarks, which were ordered spread upon the records of the House, on motion of Mr. Fallon of Malden, as follows:

“Mr. Speaker, and through you to the Membership of this great House.

Remarks of Mrs. Nyman of Hanover.

I rise for the purpose of delivering my Maiden Speech from Seat 114 for a reason very special to me:

Our daughter Kristy was born at 1:14 in the afternoon. Her late father, who had the honor of being an elected member of this House, sat in this same seat, seat 114, a seat held with great distinction by my predecessor, my dear departed husband, the late Bob Nyman.

Remarks of
Mrs. Nyman
of Hanover.

Mr. Speaker, dear members, I humbly ask for your vote on this home rule petition that would transfer a parcel of land from the Rockland Parks Department to the town. Your vote is very special because it means that senior citizens from the town of Rockland, for generations to come, will have a long-awaited and much-needed senior center.

And what's special to me and my family is that not only is this center a new home for our seniors, but also because my constituents, the people of Rockland, the very people Bob loved so much, have loved him back by naming the new center the 'Robert J. Nyman Memorial Senior Center'.

I would like to thank my family for all the love and support that they have given me throughout this process, especially my two daughters, Kristy and Kara.

I'd also like to thank my legislative aide, Lauren Scribi, for working so diligently on this bill.

In closing, Mr. Speaker, just one more thank you: to every member of this House. Because your vote will forever provide the land that will be the homestead for thousands of senior citizens now and for future generations.

And my gratitude this day comes from my heart, because Bob and I not only share the same seat and office here at the State House, but also shared the vision for a senior center at home.

I could not have known then that life's journey would ever lead me back to his office as his successor.

In that special office, Bob would often look out the window where you can see a perfect view of the Golden Dome.

And he would always say to me: 'Isn't that Golden Dome beautiful?'

But, along the way, we both discovered that the true beauty of the State House is not found within the gilding atop the Dome, the true beauty will forever be found beneath it, the men and women each day working for the People and that true beauty is you: the members of the Massachusetts House of Representatives. Thank you."

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 345 in Supplement.]

Therefore the bill was passed to be enacted; (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Brighton,—
Daly Field.

Mr. Donato of Medford being in the Chair,— the engrossed Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 346.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Consti-

tution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 346 in Supplement.]

Therefore the bill 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.

Emergency Measures.

The engrossed Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (see Senate No. 2367, amended) (which originated in the Senate), 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.

New Bedford,—
land.

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 40 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 347.

[See Ye and Nay No. 347 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4225) of the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), recommending passage of a bill with the same title (Senate, No. 2395), came from the Senate with the endorsement that it had been accepted by said branch.

Competitively
priced
electricity.

[Attached to the report was an errata containing the following changes:—

In line 765 by striking out the figures “713” and inserting in place thereof the figures “723”; and by adding the following section:

“SECTION 59. Section 56 shall take effect on December 31, 2014.”.]

Under suspension of the rules, on motion of Mr. Keenan of Salem, the report was considered forthwith.

After debate on the question on acceptance of report, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan; and on the roll call 149 members voted in the affirmative and 6 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 348.

[See Ye and Nay No. 348 in Supplement.]

Therefore the report was accepted, in concurrence.

Engrossed Bills.

Engrossed bills
 Bills enacted. Further regulating animal control (see Senate, No. 2192, amended) (which originated in the Senate);
 Relative to the exchange of certain land in the town of Truro (see House, No. 3312, amended);
 Relative to co-operative banks (see House, No. 3806, amended);
 Relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4187);
 Authorizing the Massachusetts Water Resources Authority to convey certain land to the city of Chelsea without a restriction on its use (see House, No. 4202); and
 Establishing a temporary workers right to know (see House, No. 4304, amended);
 (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.

Emergency Measures.

Sutton,—
 easements.

The engrossed Bill relative to the conveyance of easements in the town of Sutton (see Senate, No. 2369) (which originated in the Senate), 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 46 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

Bill enacted
 (land taking),—
 yea and nay
 No. 349.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 349 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Sentencing
 and law
 enforcement,—
 tools.

The engrossed Bill relative to sentencing and improving law enforcement tools (see House, No. 3818, 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 60 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (see Senate, No. 2154, 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.

Weymouth
and
Hingham,—
sewer
services.

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 64 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-five minutes before seven o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.