

Thursday, September 20, 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).

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.

Resolutions.

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

Resolutions (filed by Mr. Jones of North Reading) recognizing the North Reading boys baseball team on winning the 2012 Division III state championship; North
Reading,—
baseball team.

Resolutions (filed by Mr. Beaton of Shrewsbury) on the occasion of the seventy-fifth anniversary of the Shrewsbury High School crew team; Shrewsbury,—
crew team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Christian Slutz on earning the Eagle Scout Award; and Christian
Slutz.

Resolutions (filed by Mr. Levy of Marlborough) congratulating the Loyal Order of Moose, Marlboro Lodge 1129 on the occasion of its one hundredth anniversary; Marlborough,—
Moose Lodge.

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

Petitions.

Mr. Timilty of Milton presented a petition (accompanied by bill, House, No. 4445) of Walter F. Timilty, Linda Dorcena Forry and Brian A. Joyce (by vote of the town) that the town of Milton be authorized to borrow money for payments of certain medical expenses; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Milton,—
medical
expenses.

Messrs. Beaton of Shrewsbury and Fresolo of Worcester presented a petition (subject to Joint Rule 12) of Matthew A. Beaton for legislation to establish a sick leave bank for Wayne Murry, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules. Wayne
Murry,—
sick leave.

Paper from the Senate.

The House Bill establishing a sick leave bank for Patricia Moran, an employee of the Executive Office of Health and Human Services (House, No. 4262), came from the Senate passed to be engrossed, in Patricia
Moran,—
sick leave
bank.

Patricia
Moran,—
sick leave
bank.

concurrence, with amendments in lines 2, 4 and 5, striking out the words “Patricia Morin” (each time they appear) and inserting in place thereof the words “Patricia A. Morin”; in lines 8 and 9, striking out the words “health and human services”; and striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Patricia A. Morin, an employee of the Executive Office of Health and Human Services.”.

Under suspension of Rule 35, on motion of Mr. Smola of Palmer, 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.

Historic
roadways.

The Senate Resolve providing for a special commission to identify, preserve and commemorate historic roadways (Senate, No. 2436) (on Senate, No. 1727), 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.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Public safety,—
death benefits.

Petition (accompanied by bill) of Cheryl A. Coakley-Rivera and others relative to death benefits for police officers and firefighters. To the committee on Public Service.

Revere,—
McCauley
plaza.

Joint petition (accompanied by bill) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate a certain parcel of land in the city of Revere as the Peter E. McCauley plaza.

Revere,—
Gautreau
pavilions.

Joint petition (accompanied by bill) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate certain pavilions in the city of Revere as the Norman Gautreau memorial pavilions.

Severally to the committee on State Administration and Regulatory Oversight.

Hanson,—
David Hall
Station.

Petition (accompanied by bill) of Daniel K. Webster for legislation to designate a certain commuter rail station in the town of Hanson as the Lt. David Colin Hall commuter rail station. To the committee on Transportation.

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

Fitchburg,—
special police
officers.

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

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on House, Nos. 559, 563, 571, 572, 581, 1437, 1438, 1439, 1442, 1444, 1446, 1453, 1455, 1458, 1460, 1842, 2062, 2318, 2319, 2323, 2324, 2325, 2327, 2334, 2335, 2883, 2884, 2885, 2887, 2889, 2890, 3101, 3103, 3234, 3294, 3386, 3448 and 3458, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipalities and regional government issues (House, No. 4447) (Reported filed on March 21, 2012).

Municipalities and Regional Government,—study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 36 (as relates to sections 3, 4 and 5), 751, 754, 780, 787, 1681, 1682, 1683, 1713, 1719, 1732, 2501, 2502, 2515, 2520, 2550, 2551, 2553, 2560, 2561, 2977, 2999, 3026, 3260, 3300, 3301, 3302, 3309, 3313, 3375, 3377, 3384, 3415, 3426, 3466, 3554, 3560, 3693 and 3850, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning taxation issues (House, No. 4448).

Revenue,—study.

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (see Senate, No. 2431), 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.

Emmy Diaz,—sick leave bank.

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 5 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Exempting the position of deputy police chief in the town of Duxbury from the civil service provisions (see House, No. 4026); and

Bills enacted.

Relative to the administrative organization of financial officers in the city of Malden (see House, No. 4312);

(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.

Third
reading
bill.

The Senate Bill relative to the use of off-highway and recreational vehicles (Senate, No. 2381), 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.

Third
reading
bills.

House bills
Exempting the position of deputy chief of the Stoughton Police Department from the provisions of civil service (House, No. 4417); and

Establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (House, No. 4429);

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

Long-term
care
insurance.

The Senate Bill establishing standards for long-term care insurance (Senate, No. 2359, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Costello of Newburyport moved to amend it section 2, in line 274 (as appearing in House document numbered 4348), after the word "misrepresentation", by inserting the words "alone but may be contested only upon a showing that the insured knowingly and intentionally misrepresented relevant facts relating to the insured's health."

The amendment was adopted; and the bill (Senate, No. 2359, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.