

Monday, October 17, 2011.

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.

*Guests of the House.*

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Polizia di Stato a delegation of Italian State Police. After addressing the guests in Italian, Mr. Donato turned the gavel over to Representative Ferrante of Gloucester who spoke at length to the visitors in Italian. Ms. Ferrante then introduced Inspector Superior Alberto Caracciolo, the head of the delegation. Inspector Caracciolo then addressed the House in Italian and made a presentation to the Speaker. Also accompanying the delegation was Senator Bruce E. Tarr. They were the guests of the Speaker and Ms. Ferrante of Gloucester. Italian Polizia di Stato.

*Resolutions.*

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

Resolutions (filed by Ms. Hogan of Stow) congratulating Brian A. Niemi on achieving the rank of Eagle Scout with the Boy Scouts of America; Brian A. Niemi.

Resolutions (filed by Ms. Hogan of Stow) congratulating Sterling B. Reber, IV, on achieving the rank of Eagle Scout with the Boy Scouts of America; and Sterling B. Reber, IV.

Resolutions (filed by Ms. Peake of Provincetown) honoring William L. Flynn, Jr., for his thirty six years of service to the town of Harwich and the Harwich Fire Department; William L. Flynn, Jr.

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

*Communications.*

Communications  
From the Human Resources Division of the Executive Office for Administration and Finance (under the provisions of Section 25 of Chapter 31 of the General Laws) submitting a list of certain public safety police promotional lists which have been revoked by the Personnel Administrator as of October 1, 2011; Civil service lists.

From the Office of the Comptroller submitting a report relative to the transfer of certain funds to the Commonwealth Stabilization Fund; Stabilization Fund.

Excess tax revenues.  
Commonwealth Care Trust Fund.

From the Office of the Comptroller submitting a report relative to the cumulative net state tax revenues in excess of the permissible limit; From the Office of the Comptroller (pursuant to item 1595-5819 contained in section 2E of Chapter 68 of the Acts of 2011) submitting a transfer schedule for the Commonwealth Care Trust Fund [A copy of said schedule forwarded to the House committee on Ways and Means]. Severally were placed on file.

*Petition.*

Topsfield,—health insurance.

Mr. Speliotis of Danvers presented a petition (accompanied by bill, House, No. 3753) of Theodore C. Speliotis (by vote of the town) for legislation to authorize the town of Topsfield to participate in the insurance program administered by the Group Insurance Commission; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

*Recess.*

Recess.

At ten minutes after eleven o'clock A.M., on motion of Mr. Kafka of Stoughton (Mr. Donato of Medford being in the Chair), the House recessed until half past eleven o'clock and; and at two minutes before twelve o'clock noon, the House was called to order with Mr. Donato in the Chair.

*Reports of Committees.*

Maida Green,—sick leave bank.

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 Garrett J. Bradley, James M. Cantwell and Robert L. Hedlund for legislation to establish a sick leave bank for Maida Green, an employee of the Department of Children and Families. Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Housing, asking to be discharged from further consideration

Rebates,—expiration.

Of the petition (accompanied by bill, House, No. 380) of Carl M. Sciortino, Jr., and others relative to commercial rebate expiration,—and recommending that the same be referred to the committee on Community Development and Small Businesses.

House auctions,—notice.

Of the petition (accompanied by bill, House, No. 382) of Todd M. Smola for legislation to require certain legal notices prior to the auctioning of single or multiple family housing units, condominiums or cooperative units,—and recommending that the same be referred to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

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:

Relative to the disclosure of information held by the Disabled Persons Protection Commission (House, No. 57);

Disabled persons.

Relative to the reporting of the abuse of mentally retarded persons (House, No. 80);

Retarded,—abuse.

Authorizing the town of Lincoln to grant a single license to pour full alcoholic beverages to be consumed on the premises (House, No. 3531) [Local Approval Received];

Lincoln,—liquor license.

Authorizing the town of Lincoln to grant a single license for the sale of wine and malt beverages to be consumed off premises (House, No. 3532) [Local Approval Received]; and

Id.

Relative to the granting of a club license for the sale of alcoholic beverages in the town of Lincoln (House, No. 3533) [Local Approval Received];

Id.

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

By Mr. Binienda of Worcester, for the committee on Rules of the two branches, acting concurrently, that the Bill providing for additional pension reform and benefits modernization (Senate, No. 2018), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Pension reform.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to the conversion of certain disability retirements (House, No. 683). Read; and referred, under Rule 33, to the committee on Ways and Means.

Disability retirements.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to an exclusive and perpetual easement within Monroe State Forest (Senate, No. 1988, 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 3755.

Monroe State Forest,—easement.

By the same member, for the same committee, that the Bill to provide retirement options for nonprofit organizations (House, No. 2411) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3754).

Nonprofit organizations,—retirement.

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

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill validating the acts and proceedings of the preliminary mayoral election in the city of North Adams (House, No. 3741) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

North Adams,—election.

*Recesses.*

At twenty-eight minutes before one o'clock P.M., on motion of Mr. Cusack of Braintree (Mr. Donato of Medford being in the Chair), the House recessed until the hour one o'clock P.M., and at that time; and at that time, the House was called to order by Mr. Donato.

Recesses.

Recesses. The House thereupon, on motion of Mr. Smola of Palmer, took a further recess until half past one o'clock; and at twenty-eight minutes before two o'clock P.M., the House was called to order with Mr. Donato in the Chair.

*Emergency Measure.*

Supplemental appropriations. The engrossed Bill making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3737, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, then was placed before the House, the question being on adopting the emergency preamble. A separate vote then 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 3 to 0. Sent to the Senate for concurrence.

Recess. At the hour of two o'clock P.M., on motion of Mr. Smola of Palmer (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twelve minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

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

Rule 40 suspended. Pending the question on passing the bill to be enacted, Mr. Dempsey of Haverhill moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill by striking out section 98; and the amendment was adopted. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the amendment, the bill, having been certified by the Clerk to be rightly and truly prepared for final passage then was again placed before the House, the question being on adopting the emergency preamble.

A separate vote then 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.

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.

*Engrossed Bill.*

Bill enacted. The engrossed Bill relative to the town charter for the town of Ashburnham (see Senate, No. 2005) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

House bills

Third reading bills. Amending the charter of the city of Easthampton (House, No. 3505) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premise (House, No. 3639) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Debra Callejas, an employee of the Executive Office of Labor and Workforce Development, Department of Industrial Accidents (House, No. 3733);

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. Severally sent to the Senate for concurrence.

The House Bill designating a certain bridge on interstate highway Route 195 in the town of Wareham as the 1st Sgt. Charles W. Parker Memorial Bridge (House, No. 915), was read a third time.

Charles W. Parker Memorial Bridge.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, Ms. Gifford of Wareham moved to amend it by substitution of a Bill designating a certain bridge on interstate highway Route 195 in the town of Wareham as the First Sergeant Charles W. Parker Memorial Bridge (House, No. 3757), which was read.

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

Next sitting.

At eighteen-minutes before four o'clock P.M., on motion of Mr. Smola of Palmer (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.