

Monday, November 16, 2009.

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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, in Whom we place our trust and confidence, we begin this workweek with a prayer for Your guidance in our effort to evaluate and address current legislative issues in a thoughtful, just and conscientious manner. We believe that Your assistance enables us to accomplish this task. In these times of possible terrorism incidents and uncertain economic conditions, bless our efforts to build trust and confidence in the minds and hearts of the electorate. Teach us to work together in building a stable and peaceful society in which the dignity of the individual is respected. In addressing public policy issues, teach us to listen to the concerns of all people. At the same time, inspire us to remain faithful to our principles and our human and spiritual religious values and beliefs. May we work together in defining and working toward a clear understanding of the common good in today's society.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

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:

Resolutions (filed by Mr. Madden of Nantucket) congratulating the Martha's Vineyard Center for Dispute Resolution on its twenty-fifth anniversary; and

Resolutions (filed by Messrs. Spellane of Worcester and Pedone of Worcester) commending the Pleasant Street Neighborhood Network Center on its tenth anniversary;

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

Special Reports.

Reports

Of the Division of Health Care Finance (under Section 18 of Chapter 15A of the General Laws) submitting the Student Health Program Baseline report and providing overview of Student Health

student health. Program (SHP) enrolling and financial performance at state colleges and universities; and

PERAC,—retirement proposal actuarial analysis. Of the Public Employee Retirement Administration Commission (under Section 50(d) of Chapter 7 of the General Laws) submitting an actuarial analysis of certain proposals developed by the former special commission established (under Section 22 of Chapter 21 of the Acts of 2009) to make an investigation and study of the public employee contributory retirement system [said special commission having failed to report on time]; Severally were placed on file.

Petition.

Franklin Institute of Boston. Mr. Michlewitz of Boston presented a petition (accompanied by bill, House, No. 4343) of Aaron Michlewitz (with the approval of the mayor and city council) relative to the membership of the Franklin Foundation, commonly known as the Franklin Institute of Boston; and the same was referred to the committee on Higher Education. Sent to the Senate for concurrence.

Paper from the Senate.

Boston,—civil service. A Bill relative to the appointment of a certain civil service class as firefighter in the city of Boston (Senate, No. 2032) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Bleeding disorders. By Mr. Koutoujian of Waltham, for the committee on Financial Services, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 915) of Anne M. Gobi, Frank I. Smizik and others relative to insurance coverage and standards for treatment of persons with bleeding disorders,— and recommending that the same be referred to the committee on Public Health.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Physician assistants. By Mr. Koutoujian of Waltham, for the committee on Financial Services, on a petition, a Bill physician services provided by physicians assistants (House, No. 948).

Senior Care options. By the same member, for the same committee, on a petition, a Bill relative to senior care options passive enrollment (House, No. 4052).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Legal investments. By Mr. Koutoujian of Waltham, for the committee on Financial Services, on a petition, a Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 945).

Insurance companies,—information. By the same member, for the same committee, on a petition, a Bill further regulating the use of personal information by insurance companies (House, No. 956).

By the same member, for the same committee, on a petition, a Bill relative to policies of insurance (House, No. 1002).

By Mr. Honan of Boston, for the committee on Housing, on House, No. 1222, a Bill relative to community housing and services (House, No. 4342).

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 3504, a Bill authorizing the Division of Capital Asset Management and Maintenance to transfer certain land in the city of Marlborough to Michael Audette (House, No. 4339).

By the same member, for the same committee, on House, No. 2956, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Concord Housing Development Corporation for affordable housing and open space (House, No. 4340).

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

By Mr. Koutoujian of Waltham, for the committee on Financial Services, on a petition, a Bill relating to the Division of Insurance maintenance assessments (House, No. 954).

By the same member, for the same committee, on a petition, a Bill relating to liability insurance (House, No. 955).

By the same member, for the same committee, on a petition, a Bill relative to affiliate transfers (House, No. 959).

By the same member, for the same committee, on a petition, a Bill relative to deposits in trust for other persons (House, No. 999).

By the same member, for the same committee, on House, No. 902, a Bill relative to the delivery of loss information to an insured from commercial insurers (House, No. 1039).

By the same member, for the same committee, on House, No. 1001, a Bill clarifying certain banking laws (House, No. 4341).

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Jeanette Ross an employee of the Trial Court (House, No. 4311).

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill relative to establishing a sick leave bank for Christopher Sandiford (House, No. 4333).

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill designating the city of Salem as the birthplace of the National Guard (House, No. 1145, changed in section 1, in line 5, by striking out the words "at the Salem/Beverly line and at Route 114 at the Salem/Marblehead line" and inserting in place thereof the following: "and at Route 114 as one enters the city of Salem").

Severally 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 matters be scheduled for consideration by the House:

Insurance policies.

Community housing.

Marlborough,—Michael Audette.

Concord,—housing land.

Insurance maintenance assessments.

Liability insurance.

Affiliate transfers.

Trust deposits.

Insurance losses.

Banking laws.

Jeanette Ross,—sick leave.

Christopher Sandiford,—sick leave.

Salem National Guard.

Health plans.—
Nantucket,—
planners.

House Bills
Relative to the licensure of health plans (House, No. 971);
Amending the responsibilities of the Nantucket Planning and Economic Development Commission (House, No. 1122) [Local Approval Received];

Framingham,—
town meetings.

Relative to town meeting in the town of Framingham (House, No. 1896) [Local Approval Received];

Millis,—
assessors.

Amending the charter of the town of Millis for the purpose of establishing an appointed board of assessors (House, No. 4216) [Local Approval Received]; and

Leominster,—
liquor
license.

Authorizing the city of Leominster to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4267) [Local Approval Received];
Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Bill
enacted.

The engrossed Bill relative to clean energy (see House, No. 4253, amended) (with originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills
Establishing a town administrator and a municipal finance department in the town of Douglas (see House, No. 1894);
Establishing a department of public works in the town of Hadley (see House, No. 1913);
Designating a certain bridge in the town of Danvers as the Danversport Bridge (see House, No. 3335, changed);
Authorizing the town of Fairhaven to assess certain betterments (see House, No. 3473); and
Authorizing the town of Fairhaven to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 4237);
(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
bills.

Senate bills
Authorizing the Devens Enterprise Commission to grant a license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2049);
Authorizing the town of Templeton to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2063); and
Relative to the lease of property at Sandwich High School (Senate, No. 2075);
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, in concurrence.

House bills
Authorizing the city of Newton Retirement Board to grant a superannuation retirement allowance to Frank Albano (House, No. 4117); and
Pertaining to the issuance of bonds or notes by the city of Worcester (House, No. 4265);
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 Senate Bill authorizing the Massachusetts Department of Transportation and the town of Kingston to exchange certain parcels of land (Senate, No. 2147) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.
Said committee reported recommending that the bill be amended by striking out section 7 (of the new text inserted by amendment by the House).

The amendment was adopted; and the bill (Senate, No. 2147, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendment [see House document numbered 4301, amended by striking out section 7].

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.

At twenty minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.