

Thursday, December 6, 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.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to implementing fiscal stability measures for fiscal year 2013 (House, No. 4532), was filed in the office of the Clerk on Tuesday, December 4, 2012. The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means. Sent to the Senate for concurrence. Fiscal stability measures.

Resolutions.

Resolutions (filed by Messrs. Dwyer of Woburn and Kaufman of Lexington) congratulating Robert and Veronica Andrews on the occasion of their fiftieth wedding anniversary, were referred, under Rule 85, to the committee on Rules. Robert and Veronica Andrews.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Garlick of Needham, 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. Peterson of Grafton presented a petition (accompanied by bill, House, No. 4535) of George N. Peterson, Jr., Richard T. Moore and Michael O. Moore (by vote of the town) for legislation to establish a building maintenance fund in the town of Northbridge; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Northbridge,—building fund.

Mr. Donato of Medford presented a petition (subject to Joint Rule 12) of Paul J. Donato for legislation to establish a sick leave bank for Margaret C. Henderson, an employee of the Executive Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules. Margaret C. Henderson,—sick leave.

Papers from the Senate.

The House Bill relative to the charter of the city of Somerville (House, No. 4440), 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 2456. Somerville,—charter.

Somerville,—
charter.

Under suspension of Rule 35, on motion of Ms. Provost of Somerville, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment by striking out section 2 (as inserted by the Senate); and the further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Wayne
Murry,—
sick leave.

The House Bill establishing a sick leave bank for Wayne Murry, an employee of the Massachusetts Department of Transportation (House, No. 4481), 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 2463; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the highway division of the Massachusetts Department of Transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Wayne Murray, an employee of the highway division of the Massachusetts Department of Transportation.”.

Under suspension of Rule 35, on motion of Mr. Beaton of Shrewsbury, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) were considered forthwith; and they were adopted, in concurrence.

Barbara A.
DiChiaro,—
sick leave.

The House Bill establishing a sick leave bank for Barbara A. DiChiaro, an employee of the Massachusetts Department of Transportation (House, No. 4488), came from the Senate passed to be engrossed, in concurrence, with an amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2464; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Barbara A. DiChiaro, an employee of the registry of motor vehicles.”.

Under suspension of Rule 35, on motion of Mr. Basile of Boston, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) were considered forthwith; and they were adopted, in concurrence.

Reports of Committees.

Susan
Sciola,—
sick leave.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for

Susan Sciola, an employee of the Department of Revenue (Senate, No. 2454, amended), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a recommitted petition, a Bill authorizing the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4308) [Local Approval Received].

North Andover,—
alcoholic
beverages.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4494) [Local Approval Received].

Easthampton,—
alcoholic
beverages.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4495) [Local Approval Received].

Id.

Severally read; and 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 the rules, 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.

A report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1883) of Bradley H. Jones, Jr., and others for legislation to regulate the direct shipment of wines, was considered forthwith, under suspension of the rules, on motion of Mr. Jones of North Reading.

Auctions,—
liquor
license.

The same member then moved that the report be amended by substitution of a Bill further regulating the granting of temporary licenses for the sale of wine at auction (House, No. 4536), which was read.

Under suspension of the rules, on further motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on House, Nos. 45, 46, 47, 49, 51, 63, 64, 65, 74, 75, 76, 81, 182, 187, 273, 279, 306, 332, 333, 334, 335, 336, 337, 338, 340, 342, 343, 344, 346, 550, 554, 598, 606, 623, 677, 680, 975, 1100, 1101, 1206, 1211, 1223, 1224, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1238, 1239, 1241, 1418, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1428, 1431, 1433, 1435, 1467, 1479, 1484, 1488, 1492, 1496, 1513, 1514, 1521, 1523, 1530, 1543, 1856, 2039, 2057, 2079, 2087, 2088, 2089, 2090, 2091, 2092, 2094, 2095, 2096, 2097, 2099, 2101, 2316, 2333, 2343, 2362, 2373, 2375, 2682, 2683, 2727, 2777, 2778, 2779, 2780, 2782, 2783, 2876, 2880, 2900, 3104, 3105, 3106, 3134, 3296, 3480, 3543, 3641, 3696, 3904, 3984, 3995 and 4097, an Order relative to authorizing the committee on Health Care Financing

Health Care
Financing,—
study.

Health Care
Financing,—
study.

to make an investigation and study of certain House documents concerning health care financing issues (House, No. 4533). 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 asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Emergency Measures.

Lori
Roche,—
sick leave.

The engrossed Bill establishing a sick leave bank for Lori Roche, an employee of the Department of Children and Families (see Senate, No 2450, 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 8 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

James A.
O'Connor,—
sick leave.

The engrossed Bill establishing a sick leave bank for James A. O'Connor, an employee of the Division of Professional Licensure (see Senate, No. 2452, 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 8 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Wendy
Watts,—
sick leave.

The engrossed Bill establishing a sick leave bank for Wendy Watts, an employee of the Executive Office of Health and Human Services (see House, No. 4497, 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 8 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 Bills.

Engrossed bills

Authorizing the town of Newbury to use certain fund balances for capital expenditures (see Senate, No. 1934); Bills enacted.

Providing for the establishment of a fire department in the town of Newbury (see Senate, No. 1941, amended); and

Authorizing the town of Arlington to establish a separate account for proceeds from wireless communications antenna leases (see Senate, No. 2304);

(Which severally originated in Senate);

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.

House bills

Exempting certain positions in the town of Milton from the civil service law (printed as Senate, No. 2368); Third reading bills.

Designating a certain bridge in the town of Framingham as the Gregory B. Vilinitzky memorial bridge (House, No. 3572) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Scott Giroux, an employee of the Department of Mental Health (House, No. 4504) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 Monday next at eleven o'clock A.M. Next sitting.

At twenty-nine 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 Monday at eleven o'clock A.M., in an Informal Session.