

Thursday, December, 22, 2011.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Communication from Representative Paul W. Mark.

Representative Mark of Peru.

A communication was received from Representative Paul W. Mark (formerly of Hancock) that his official residence had changed from the town of Hancock to the town of Peru.

Special Report.

Bridgewater State Hospital.

A special report of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of Bridgewater State Hospital in the town of Bridgewater; was placed on file.

Resolutions.

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

Shawn Joseph Fontaine.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Shawn Joseph Fontaine on receiving the Eagle Award of the Boy Scouts of America;

Edward William Nolan.

Resolutions (filed by Mr. Jones of North Reading) recognizing Police Chief Edward William Nolan for his forty two years of dedicated service to North Reading;

John Joseph Cariddi.

Resolutions (filed by Ms. Cariddi of North Adams) honoring John Joseph Cariddi for his dedication to the North Adams community;

Small businesses.

Resolutions (filed by Mrs. O'Connell of Taunton and other members of the House) recognizing the vital contributions of small businesses to local communities and the Commonwealth;

North American 9158.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulating salaried employees of the North American 9158, a division of the United Steelworkers on its twenty fifth anniversary; and

Stephen A. Wood.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Stephen A. Wood on the occasion of his retirement as deputy fire chief of the town of Norfolk Fire Department;

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.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Costello of Newburyport and Senator Baddour, a joint petition (accompanied by bill, House, No. 3855) of Michael A. Costello and Steven A. Baddour (with the approval of the mayor and city council) relative to the polling places in the Plum Island section of the city of Newburyport. To the committee on Election Laws.

Newburyport,—voting precincts.

By Representative Bradley of Hingham and Senator Hedlund, a joint petition (accompanied by bill, House, No. 3856) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation to authorize the town of Hingham to lease a portion of the parcel of land known as the Bathing Beach Bathhouse for recreational purposes. To the committee on Municipalities and Regional Government.

Hingham,—Bathing Beach Bathhouse.

By Messrs. Devers of Lawrence and Torrissi of North Andover, a petition (accompanied by bill, House, No. 3857) of Marcos A. Devers and others (with the approval of the mayor and city council) relative to health insurance benefits for municipal employees in the city of Lawrence. To the committee on Public Service.

Lawrence,—health insurance.

Severally sent to the Senate for concurrence.

Paper from the Senate.

A Bill authorizing the town of Foxborough to establish an age limit for original appointment to the position of police officer (Senate, No. 1887) [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.

Foxborough,—police appointment.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill regarding proceeds from railroad right of way (House, No. 3338) [Local Approval Received], be scheduled for consideration by the House.

Stoneham,—railroad proceeds.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the charter of the town of Harwich and the election of the members of the Monomoy Regional School District Committee (House, No. 3504) [Local Approval Received], be scheduled for consideration by the House.

Harwich,—town charter.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Topsfield to convey certain conservation land (House, No. 3719) [Local Approval Received], be scheduled for consideration by the House.

Topsfield,—land conveyance.

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

Attleboro,—
bridge.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney September 11th Memorial Bridge (House, No. 3740), be scheduled for consideration by the House.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

House bills

Setting apart the third Saturday of the month of October as Massachusetts Minutemen and Militia Day (House, No. 834);

Relative to the charter of the town of Harwich (House, No. 3503, changed) [Local Approval Received]; and

Relative to the Holyoke Housing Authority (House, No. 3575);

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

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to a memorial to Vatican Ambassador, Former Mayor, Former State Representative and Former Boston City Councilor Raymond L. Flynn (House, No. 3029). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill petition for a special law re: the procurement and award of contracts for certain affordable housing in the city of Boston (House, No. 3523), ought to pass with an amendment substituting therefore a Bill relative to the procurement and award of contracts for certain affordable housing in the city of Boston (House, No. 3853). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill to protect volunteer firefighters from dismissal (House, No. 537).

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1466, a Bill relative to extending the deadline for mailing quarterly tax bills (House, No. 3854).

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

Orders of the Day.

The Senate Bill relative to the town elections in the town of Sturbridge (Senate, No. 1947), 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.

The House Bill authorizing the town of Beckett to continue the employment of the Chief of Police, William Elovirta (House, No. 3509) (it 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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

The House Bill authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (House, No. 3524, changed), was read a third time.

Tyringham,— Peter Curtin.

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, it was recommitted to the committee on Public Service, on motion of Ms. Provest of Somerville.

The House Bill authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed), was read a third time.

Tyringham,— Rainsford Morehouse.

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, it was recommitted to the committee on Public Service, on motion of Ms. Provest of Somerville.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House recessed until the hour of one o'clock P.M.; and at four minute after one o'clock the House was called to order with Mr. Pedone of Worcester in the Chair.

Recess.

Paper from the Senate.

The House Bill establishing the Massachusetts Uniform Trust Code (House, No. 3780, amended), 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 2094; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Uniform Trust Code.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to further regulate the probate code and to establish a trust code, 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 further regulating the probate code and establishing a trust code."

Under suspension of Rule 35, on motion of Mr. Mark of Peru, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

Uniform
Trust
Code.

The same member then moved that the House concur with the Senate in its amendment with further amendments by striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 3861; by striking out the emergency preamble (inserted by amendment by the Senate) and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to further regulate the probate code, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out the title (inserted by amendment by the Senate) and inserting in place thereof the following title: “An Act further regulating the probate code.”.

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

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Messrs. Brodeur of Melrose and Jones of North Reading then moved that as a mark of respect to the memory of William G. Robinson, a member of the House from Melrose from 1965 to 1986, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-two minutes after one o'clock P.M., on motion of Mr. Mark of Peru (Mr. Pedone of Worcester being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.