

Thursday, December 27, 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).

Pledge of  
allegiance.

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.*

Jerry  
Twohig.

Resolutions (filed by Representatives Linsky of Natick, Peisch of Wellesley, Sannicandro of Ashland and Walsh of Framingham) congratulating Jerry Twohig on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Special Report.*

Home and  
Healthy for  
Good  
Program.

A special report of the Massachusetts Housing and Shelter Alliance (under item 7004-0104 of Section 2 of Chapter 139 of the Acts of 2012) relative to the progress of the Home and Healthy for Good Program [copies of said report forwarded, pursuant to said item, to the committee on Ways and Means], was placed on file.

*Papers from the Senate.*

**Bills**

Greenfield,—  
charter.

Amending the charter of the city known as the town of Greenfield (Senate, No. 2426, amended in lines 15 to 19, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: "In amending the budget, the town council may increase or decrease amounts and expenditures as allowed under section 32 of chapter 44 of the General Laws.") (on a petition) [Local Approval Received]; and

Id.

Amending the charter of the city known as the town of Greenfield to establish a mayor's task force against domestic violence (Senate, No. 2480) (on Senate bill No. 2430) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were 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 the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

A Bill relative to process piping (Senate, No. 2478, amended in section 2, in line 16, by striking out the figures “90” and inserting in place thereof the figures “180”; and, in lines 17 and 18, by striking out the words “and upon passing a written examination” and inserting in place thereof the words “and after demonstrating sufficient knowledge of the regulations related to the process piping pipefitter license”) (on a part of House bill No. 3158, amended), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Process piping.

**Bills**

Relative to medical examinations for life insurance policies (Senate, No. 408) (on a petition);

Life insurance,—examinations.

Relative to residents of continuing care retirement communities (Senate, No. 2139) (on Senate, Nos. 274 and 283);

Retirement communities.

Exempting the position of police chief in the city of Malden from the civil service law (Senate, No. 2476) (on a petition) [Local Approval Received];

Malden,—police chief.

Relative to voluntary withdrawal of land from registration (Senate, No. 2481) (on Senate bill No. 694); and

Registered land.

Establishing a sick leave bank for Katrin Fox, an employee of the highway division of the Massachusetts Department of Transportation (Senate, No. 2487) (on Senate bill No. 2469).

Katrin Fox,—sick leave.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Reports of Committees.*

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 James R. Miceli for legislation to establish a sick leave bank for Matthew Stuart, an employee of the Department of Children and Families. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, 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.

Matthew Stuart,—sick leave.

Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Margaret C. Henderson, an employee of the Executive Office of Health and Human Services (House, No. 4554). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Margaret C. Henderson,—sick leave.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on 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, that the following bills ought to pass:

Relative to the Cotuit Fire District (House, No. 4485); and

Cotuit.

West  
Barnstable.

Relative to the West Barnstable Fire District (House, No. 4527);

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Mr. Kafka of Stoughton, for said committee, then reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

South Hadley,—  
town  
positions.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the positions of collector and clerk-treasurer in the town of South Hadley (House, No. 4547) [Local Approval Received].

South Hadley,—  
town  
government.

By the same member, for the same committee, on a joint petition, a Bill establishing a selectboard-town administrator form of government for the town of South Hadley (House, No. 4548) [Local Approval Received].

Dartmouth  
Fire District  
No. 1.

By the same member, for the same committee, on a petition, a Bill relative to the town of Dartmouth Fire District No. 1 (House, No. 4552).

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

#### *Emergency Measure.*

Auctions,—  
alcoholic  
beverages.

The engrossed Bill further regulating the granting of temporary licenses for the sale of wines at certain auctions (see House, No. 4536), 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 12 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.*

Bills  
enacted.

##### Engrossed bills

Further regulating the Commission on Falls Prevention (see House, No. 180);

Amending the charter of the town of North Andover (see House, No. 3592);

Relative to the membership of the conservation commission of the town of Richmond (see House, No. 3824);

Relative to the recall of elective officers in the town of North Andover (see House, No. 3831);

Exempting the position of deputy police chief of the town of Westwood from the civil service law (see House, No. 4233);

Relative to the position of appointed highway surveyor in the town of Hanson (see House, No. 4455); and

Increasing the board of selectmen membership in the town of Sudbury from three to five (see House, No. 4528, amended);

(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.

*Reconsideration.*

Mr. Durant of Spencer asked that the vote be reconsidered by which the House, at the proceeding sitting, passed to be engrossed the House Bill relative to the charter of the town of Southbridge (House, No. 3900), and, there being no objection, the motion was entertained forthwith; and it prevailed.

Southbridge,—  
charter.

Pending the recurring question on passing the bill to be engrossed, the same member moved to amend it by substitution of a Bill making corrective changes to certain amendments to the charter of the town of Southbridge (House, No. 4551), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

*Orders of the Day.*

The Senate Bill establishing a board of registration in naturopathy (Senate, No. 2377, amended), 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. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Third  
reading  
bill.

Senate bills

Relative to anti-freeze and engine coolant (Senate, No. 88); and

Establishing a sick leave bank for Daniel Hermanski, Sr., an employee of the Department of Transportation (Senate, No. 2472);

Third  
reading  
bill.

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

Designating a certain bridge in the town of Newbury as the John B. Hayden bridge (House, No. 1809) (its title having been changed by the committee on Bills in the Third Reading);

Id.

Establishing a regional school district planning committee (House, No. 1918, changed) (its title having been changed by the committee on Bills in the Third Reading);

Designating a certain bridge in the city of Fall River as the Army Specialist Scott A. Andrews memorial bridge (House, No. 4506) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a five-member board of health in the city of Methuen (House, No. 4530) (its title having been changed by the committee on Bills in the Third Reading);

Exempting David Eddy from the maximum age requirement for firefighters in the city of Methuen (House, No. 4531);

Establishing a building maintenance fund in the town of Northbridge (House, No. 4535) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the sterilization of musical instruments in schools (House, No. 4549); and

Third  
reading  
bills.

Reforming labor rates paid by insurance companies to auto repairers in the Commonwealth (House, No. 4550);

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.

Applied  
behavior  
analysts.

The Senate Bill providing for the licensing of applied behavior analysts (Senate, No. 2379, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Scibak of South Hadley moved to amend it by striking out all after the enacting clause (previously inserted by amendment by the House) and inserting in place thereof the text contained in House document numbered 4555.

The amendment was adopted; and the bill (Senate, No. 2379, amended) was passed to be engrossed, in concurrence. Senate to the Senate for concurrence in the amendment.

*Recess.*

Recess.

At eight minutes before twelve o'clock noon, on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at eleven minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

*Papers from the Senate.*

North  
Andover,—  
selectmen.

The House Bill relative to vacancies in the office of selectmen in the town of North Andover (House, No. 3832), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following sentence: "This section shall not prevent a voter initiated special election under section 10 of chapter 41 of the General Laws."

Under suspension of Rule 35, on motion of Mr. Torrisi of North Andover, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Schools,—  
epinephrine  
access.

The House Bill relative to access to epinephrine in schools (House, No. 3959), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 13 striking out the word "district".

Under suspension of Rule 35, on motion of Mr. Kaufman of Lexington, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Life  
insurance  
settlements.

The House Bill relative to life settlements and stranger originated life insurance (House, No. 4296), came from the Senate with the endorsement that it had been 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 2470, amended in section 1, after line 31, inserting the following paragraph:

“Fraudulent life settlement act”, an act referenced in subsections (b) and (c) of section 223A.”; in line 55, striking out the words “, which life insurance contract” and inserting in place thereof the words “or multiple life insurance contracts, which life insurance contract or contracts”; in line 587, striking out the following: “clauses (i) and (ii)” and inserting in place thereof the following: “clauses (1) and (2)”; in line 698, striking out the following: “For the purpose of this section and sections 223B and 223D, ‘fraudulent’ ” and inserting in place thereof the word “ ‘Fraudulent’ ”; and, in line 759, striking out the words “be unlawful” and inserting in place thereof the words “also be a fraudulent life settlement act”.

Under suspension of Rule 35, on motion of Mr. Mariano of Quincy, 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.

The House 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), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1 adding the following paragraph:

North  
Andover,—  
liquor  
license.

“(d) Upon issuance of the all alcoholic beverages license authorized in section 1, La Bottega, LLC, shall return to the town the license for the sale of wines and malt beverages not to be drunk on the premises that it currently holds.”.

Under suspension of Rule 35, on motion of Mr. Torrisi of North Andover, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

#### *Reports of Committees.*

Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill [sic] Grandparent Commission membership (House, No. 4553). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Grandparents  
commission,—  
membership.

Mr. Binienda of Worcester, for said committees, reported recommending that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

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

#### *Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Daniel Hermanski, Sr., an employee of the Department of Transportation (see Senate, No. 2472), 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.

Daniel  
Hermanski,  
Sr.—  
sick leave.

Daniel  
Hermanski,  
Sr.—  
sick leave.

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 7 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.

Scott  
Giroux,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Scott Giroux, an employee of the Department of Mental Health (see House, No. 4504), 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 9 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.

Laura  
Flowers,—  
sick leave.

The engrossed Bill establishing a sick leave bank for Laura Flowers, an employee of the Department of Children and Families (see House, No. 4538), 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 9 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.

#### *Engrossed Bills.*

Engrossed bills

Bills  
enacted.

Relative to anti-freeze and engine coolant (see Senate, No. 88) (which originated in the Senate);

Relative to health insurance benefits in the city of Lawrence (see House, No. 3857);

Relative to tax titles in the town of East Bridgewater (see House, No. 3991);

Relative to the charter of the town of North Andover (see House, No. 4314);

Exempting certain positions in the town of North Andover from the civil service law (see House, No. 4316);

Authorizing certain tax revenue in the town of Wareham to be used for capital improvements (see House, No. 4390);

Making certain amendments to the charter of the town of Abington (see House, No. 4438); and

Exempting the position of chief of police of the town of West Springfield from the provisions of the civil service law (see House, No. 4496); (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.*

The House Bill relative to regulation of directory assistance (House, No. 4228) (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; and it was passed to be engrossed. Sent to the Senate for concurrence.

Directory  
assistance.

*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.

Next  
sitting.

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At twenty-five minutes after three o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.