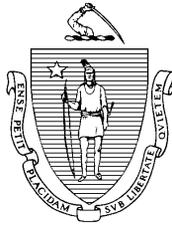


JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF
The Commonwealth of Massachusetts
FOR THE
187th General Court



— 2012 —

[INCLUDING ROLL CALL SUPPLEMENT]

PRINTED BY ORDER OF THE HOUSE AND IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 10 OF CHAPTER 5 OF THE
GENERAL LAWS.

LIST OF PERSONS ELECTED AS
MEMBERS OF THE HOUSE OF REPRESENTATIVES
FOR THE YEARS 2011 — 2012.

D — Democrat. R — Republican.

• BARNSTABLE COUNTY •

- DISTRICT 1 — CLEON H. TURNER (D) OF DENNIS —
Brewster; Dennis; Yarmouth: Precincts 1, 2, 4, 7.
- DISTRICT 2 — DEMETRIUS J. ATSALIS (D) OF BARNSTABLE —
Barnstable: Precincts 1, 2, 3, 4, 6, 8, 9, 13; Yarmouth: Precincts 3, 5, 6.
- DISTRICT 3 — DAVID T. VIEIRA (R) OF FALMOUTH —
Barnstable: Precincts 5, 7; Bourne: Precincts 5, 6; Falmouth: Precincts 3, 4, 7, 8, 9;
Mashpee: Precincts 2, 4, 5.
- DISTRICT 4 — SARAH K. PEAKE (D) OF PROVINCETOWN —
Chatham; Eastham; Harwich; Orleans; Provincetown; Truro; Wellfleet.
- DISTRICT 5 — RANDY HUNT (R) OF SANDWICH —
Barnstable: Precincts 10, 11, 12; Bourne: Precinct 4; Mashpee: Precincts 1, 3;
Sandwich.

• BARNSTABLE, DUKES AND NANTUCKET COUNTIES •

- BARNSTABLE, DUKES AND NANTUCKET — TIMOTHY R. MADDEN (D) OF NANTUCKET —
Falmouth: Precincts 1, 2, 5, 6 (Barnstable Co.); Chilmark (Dukes Co.); Edgartown
(Dukes Co.); Aquinnah (Dukes Co.); Gosnold (Dukes Co.); Oak Bluffs (Dukes Co.);
Tisbury (Dukes Co.); West Tisbury (Dukes Co.); Nantucket (Nantucket Co.).

• BERKSHIRE COUNTY •

- DISTRICT 1 — GAILANNE M. CARIDDI (D) OF NORTH ADAMS —
Adams; Clarksburg; Florida; North Adams; Savoy; Williamstown; Charlemont
(Franklin Co.); Hawley (Franklin Co.); Heath (Franklin Co.); Monroe (Franklin Co.);
Rowe (Franklin Co.).
- DISTRICT 2 — PAUL W. MARK (D) OF PERU¹ —
Becket; Cheshire; Dalton; Hancock; Hinsdale; Lanesborough; New Ashford; Peru;
Richmond; Washington; Windsor; Pittsfield: Ward 1: Precinct B; Ashfield (Franklin
Co.); Bernardston (Franklin Co.); Buckland (Franklin Co.); Colrain (Franklin Co.);
Leyden (Franklin Co.); Northfield (Franklin Co.); Shelburne (Franklin Co.); Cum-
mington (Hampshire Co.); Middlefield (Hampshire Co.); Plainfield (Hampshire Co.).
- DISTRICT 3 — CHRISTOPHER N. SPERANZO (D) OF PITTSFIELD² —
TRICIA FARLEY-BOUVIER (D) OF PITTSFIELD³ —
Pittsfield: Ward 1: Precinct A, Wards 2, 3, 4, Ward 5: Precinct A, Wards 6, 7.

1. Formerly of Hancock.

2. Resigned July 14, 2011.

3. Elected October 18, 2011; qualified November 9, 2011.

• BERKSHIRE COUNTY (*Continued*) •

DISTRICT 4 — WILLIAM SMITTY PIGNATELLI (D) OF LENOX —
Alford; Egremont; Great Barrington; Lee; Lenox; Monterey; Mount Washington;
New Marlborough; Otis; Pittsfield: Precinct 5B; Sandisfield; Sheffield; Stockbridge;
Tyringham; West Stockbridge; Blandford (Hampden Co.); Chester (Hampden Co.);
Tolland (Hampden Co.).

• BRISTOL COUNTY •

DISTRICT 1 — F. JAY BARROWS (R) OF MANSFIELD —
Mansfield: Precincts 1, 3, 6; Norton: Precincts 3, 4, 5; Foxborough (Norfolk Co.).

DISTRICT 2 — GEORGE T. ROSS (R) OF ATTLEBORO —
Attleboro: Wards 1, 2; Ward 3: Precinct A; Wards 4, 5, 6.

DISTRICT 3 — SHAUNNA L. O'CONNELL (R) OF TAUNTON —
Taunton: Ward 1: Precinct B, Wards 2, 3, 5, 7, 8.

DISTRICT 4 — STEVEN S. HOWITT (R) OF SEEKONK —
Norton: Precinct 1; Rehoboth; Seekonk; Swansea: Precincts 1, 3, 4, 5.

DISTRICT 5 — PATRICIA A. HADDAD (D) OF SOMERSET —
Dighton; Somerset; Swansea: Precinct 2; Taunton: Ward 1: Precinct A, Ward 4:
Precinct B, Ward 6.

DISTRICT 6 — DAVID B. SULLIVAN (D) OF FALL RIVER —
Berkley; Fall River: Ward 4: Precinct C, Ward 7: Precincts A, C, D, Ward 8:
Precincts B, C, D, Ward 9: Precincts A, B, C; Freetown: Precinct 1.

DISTRICT 7 — KEVIN AGUIAR (D) OF FALL RIVER —
Fall River: Ward 1: Precincts B, C, D, Ward 2: Precincts A, B, C, Ward 3: Precincts
A, B, C, Ward 4: Precincts A, B, Ward 5: Precinct A.

DISTRICT 8 — PAUL A. SCHMID, III (D) OF WESTPORT —
Fall River: Ward 1: Precinct A, Ward 5: Precincts B, C, Ward 6: Precincts A, B, C,
Ward 7: Precinct B, Ward 8: Precinct A; Westport.

DISTRICT 9 — CHRISTOPHER M. MARKEY (D) OF DARTMOUTH —
Dartmouth; Freetown: Precinct 2; New Bedford: Ward 3: Precincts F, G; Lakeville:
Precinct 1 (Plymouth Co.).

DISTRICT 10 — WILLIAM M. STRAUS (D) OF MATTAPOISETT —
Fairhaven; Marion (Plymouth Co.); Mattapoisett (Plymouth Co.); Rochester
(Plymouth Co.); Middleborough: Precincts 3, 6 (Plymouth Co.).

DISTRICT 11 — ROBERT M. KOCZERA (D) OF NEW BEDFORD —
Acushnet; New Bedford: Ward 1: Precincts A, B, C, D, E, Ward 2.

DISTRICT 12 — STEPHEN R. CANESSA (D) OF NEW BEDFORD⁴ —
KEIKO M. ORRALL (R) OF LAKEVILLE⁵ —
Freetown: Precinct 3; New Bedford: Ward 1: Precincts F, G, Ward 3: Precincts A, B,
C, D, E, Ward 4: Precincts D, E; Taunton: Ward 4: Precinct A; Lakeville: Precincts 2,
3, (Plymouth Co.); Middleborough: Precincts 2, 4, (Plymouth Co.).

4. Resigned June 27, 2011.

5. Elected September 20, 2011; qualified October 6, 2011.

DISTRICT 13 — ANTONIO F. D. CABRAL (D) OF NEW BEDFORD —
New Bedford: Ward 4: Precincts A, B, C, F, G, Wards 5, 6.

DISTRICT 14 — ELIZABETH A. POIRIER (R) OF NORTH ATTLEBOROUGH —
Attleboro: Ward 3: Precinct B, Mansfield: Precincts 2, 5; North Attleborough;
Norton: Precinct 2.

• ESSEX COUNTY •

DISTRICT 1 — MICHAEL A. COSTELLO (D) OF NEWBURYPORT —
Amesbury; Salisbury; Newburyport.

DISTRICT 2 — HARRIETT L. STANLEY (D) OF WEST NEWBURY —
Georgetown: Precinct 1; Groveland; Haverhill: Ward 4: Precinct 3, Ward 7:
Precincts 1, 3; Merrimac; Newbury; Rowley; West Newbury.

DISTRICT 3 — BRIAN S. DEMPSEY (D) OF HAVERHILL —
Haverhill: Ward 1, Ward 2: Precinct 3, Ward 3, Ward 4: Precincts 1, 2, Ward 5:
Precincts 1, 3, Ward 6.

DISTRICT 4 — BRADFORD HILL (R) OF IPSWICH —
Boxford: Precincts 1, 3; Hamilton; Wenham; Ipswich; Manchester-by-the-Sea;
Middleton: Precinct 2.

DISTRICT 5 — ANN-MARGARET FERRANTE (D) GLOUCESTER —
Essex; Rockport; Gloucester.

DISTRICT 6 — JERALD A. PARISELLA (D) OF BEVERLY — Beverly.

DISTRICT 7 — JOHN D. KEENAN (D) OF SALEM — Salem.

DISTRICT 8 — LORI A. EHRLICH (D) MARBLEHEAD —
Lynn: Ward 3: Precinct 4, Ward 4: Precinct 4; Marblehead; Swampscott.

DISTRICT 9 — DONALD H. WONG (R) OF SAUGUS —
Lynn: Ward 1: Precincts 1, 2; Lynnfield: Precinct 2; Saugus: Precincts 1, 2, 4, 5, 6, 7,
8, 9; Wakefield: Precincts 1, 2, 7 (Middlesex Co.).

DISTRICT 10 — ROBERT F. FENNELL (D) OF LYNN —
Lynn: Ward 1: Precincts 3, 4, Ward 2, Ward 3: Precincts 1, 2, 3, Ward 4: Precincts 1,
2, 3, Ward 5: Precinct 3.

DISTRICT 11 — STEVEN M. WALSH (D) OF LYNN —
Lynn: Ward 5: Precincts 1, 2, 4, Wards 6, 7; Nahant

DISTRICT 12 — JOYCE A. SPILLOTIS (D) OF PEABODY —
Peabody: Wards 1, 2, 3, 4, 5.

DISTRICT 13 — THEODORE C. SPELIOTIS (D) OF DANVERS —
Danvers; Topsfield; Peabody: Ward 6.

DISTRICT 14 — DAVID M. TORRISI (D) OF NORTH ANDOVER —
Lawrence: Ward A, Precincts 1, 3, Ward E, Precincts 2, 3, Ward F, Precincts 1, 2, 4;
North Andover: Precincts 1, 2, 3, 4, 5, 6.

DISTRICT 15 — LINDA DEAN CAMPBELL (D) OF METHUEN —
Methuen: Precincts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12.

• ESSEX COUNTY (*Continued*) •

- DISTRICT 16 — MARCOS A. DEVERS (D) OF LAWRENCE —
Lawrence: Ward A, Precincts 2, 4, Wards B, C, Ward D, Precincts 3, 4, Ward F,
Precinct 3.
- DISTRICT 17 — PAUL ADAMS (R) OF ANDOVER —
Andover: Precincts 2, 3, 4, 5, 6, 9; Lawrence: Ward D, Precincts 1, 2, Ward E,
Precincts 1, 4; Tewksbury: Precincts 3, 3A (Middlesex Co.).
- DISTRICT 18 — JAMES J. LYONS, JR. (R) OF ANDOVER —
Andover: Precincts 1, 7, 8; Boxford: Precinct 2; Georgetown: Precinct 2; Haverhill:
Ward 2: Precincts 1, 2, Ward 5: Precinct 2, Ward 7: Precinct 2; Methuen: Precinct 7;
North Andover: Precincts 7, 8.

• FRANKLIN COUNTY •

- DISTRICT 1 — STEPHEN KULIK (D) OF WORTHINGTON —
Conway; Deerfield; Leverett; New Salem; Shutesbury; Sunderland; Wendell;
Whately; Belchertown: Precincts A, D (Hampshire Co.); Chesterfield (Hampshire
Co.); Huntington (Hampshire Co.); Pelham (Hampshire Co.); Williamsburg
(Hampshire Co.); Worthington (Hampshire Co.).
- DISTRICT 2 — DENISE ANDREWS (D) OF ORANGE —
Erving; Gill; Greenfield; Orange; Warwick; Athol (Worcester Co.).

• HAMPDEN COUNTY •

- DISTRICT 1 — TODD M. SMOLA (R) OF PALMER —
Brimfield; Holland; Palmer; Wales; Ware: Precincts B, C (Hampshire Co.);
Sturbridge (Worcester Co.); Warren (Worcester Co.).
- DISTRICT 2 — BRIAN M. ASHE (D) LONGMEADOW —
East Longmeadow: Precincts 3, 4; Hampden; Longmeadow; Monson; Springfield:
Ward 6: Precincts B, C.
- DISTRICT 3 — NICHOLAS A. BOLDYGA (R) OF SOUTHWICK —
Agawam; Granville; Russell; Southwick.
- DISTRICT 4 — DONALD F. HUMASON, JR. (R) OF WESTFIELD — Westfield.
- DISTRICT 5 — MICHAEL F. KANE (D) OF HOLYOKE — Holyoke.
- DISTRICT 6 — MICHAEL J. FINN (D) OF WEST SPRINGFIELD —
Chicopee: Ward 2: Precinct B, Ward 4: Precincts A, B, C, Ward 5: Precinct B;
Springfield: Ward 2: Precinct E; West Springfield.
- DISTRICT 7 — THOMAS M. PETROLATI (D) OF LUDLOW —
Chicopee: Ward 6: Precinct B; Ludlow; Springfield: Ward 8: Precincts E, F, G;
Belchertown: Precincts B, C (Hampshire Co.).
- DISTRICT 8 — JOSEPH F. WAGNER (D) OF CHICOPEE —
Chicopee: Ward 1: Precincts A, B, Ward 2: Precincts A, C, D, Ward 3: Precincts A,
B, C, Ward 6: Precinct A, Ward 7: Precincts A, B, Ward 8: Precincts A, B, Ward 9:
Precincts A, B.

- DISTRICT 9 — SEAN CURRAN (D) OF SPRINGFIELD —
Chicopee: Ward 5: Precinct A; Springfield: Ward 2: Precincts A, B, C, D, F, G, H,
Ward 5: Precincts C, D, G, H, Ward 7: Precinct H, Ward 8: Precincts A, B, D, H.
- DISTRICT 10 — CHERYL A. COAKLEY-RIVERA (D) OF SPRINGFIELD —
Springfield: Ward 1, Ward 3: Precincts B, C, F, G, H, Ward 6: Precincts A, E, G.
- DISTRICT 11 — BENJAMIN SWAN (D) OF SPRINGFIELD —
Springfield: Ward 3: Precincts A, D, E, Ward 4, Ward 5: Precincts A, B, E, F,
Ward 7: Precinct A, Ward 8: Precinct C.
- DISTRICT 12 — ANGELO J. PUPPOLO, JR. (D) OF SPRINGFIELD —
East Longmeadow: Precincts 1, 2; Springfield: Ward 6: Precincts D, F, H, Ward 7:
Precincts B, C, D, E, F, G; Wilbraham.

• HAMPSHIRE COUNTY •

- DISTRICT 1 — PETER V. KOCOT (D) OF NORTHAMPTON —
Montgomery (Hampden Co.); Hatfield; Northampton; Southampton; Westhampton.
- DISTRICT 2 — JOHN W. SCIBAK (D) OF SOUTH HADLEY —
Easthampton; Hadley; South Hadley.
- DISTRICT 3 — ELLEN STORY (D) OF AMHERST — Amherst; Granby.

• MIDDLESEX COUNTY •

- DISTRICT 1 — SHEILA C. HARRINGTON (R) OF GROTON —
Ayer; Dunstable; Groton; Pepperell; Townsend.
- DISTRICT 2 — JAMES ARCIERO (D) OF WESTFORD —
Chelmsford: Precincts 3, 5, 7; Littleton; Westford.
- DISTRICT 3 — KATE HOGAN (D) OF STOW —
Hudson; Maynard; Stow; Bolton (Worcester Co.).
- DISTRICT 4 — STEVEN L. LEVY (R) OF MARLBOROUGH —
Marlborough; Southborough: Precinct 1 (Worcester Co.); Berlin (Worcester Co.).
- DISTRICT 5 — DAVID PAUL LINSKY (D) OF NATICK —
Natick: Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9; Sherborn; Millis: Precincts 2, 3
(Norfolk Co.).
- DISTRICT 6 — CHRIS WALSH (D) OF FRAMINGHAM —
Framingham: Precincts 1, 2, 3, 4, 5, 6, 7, 9, 13, 14, 17.
- DISTRICT 7 — TOM SANNICANDRO (D) OF ASHLAND —
Ashland; Framingham: Precincts 8, 10, 11, 12, 15, 16, 18.
- DISTRICT 8 — CAROLYN C. DYKEMA (D) HOLLISTON —
Holliston; Hopkinton; Medway: Precinct 1 (Norfolk Co.); Southborough: Precincts 2,
3 (Worcester Co.); Westborough: Precinct 2 (Worcester Co.).
- DISTRICT 9 — THOMAS M. STANLEY (D) OF WALTHAM —
Lexington: Precincts 2, 3, 4; Waltham: Wards 1, 2, 3, 4, Ward 7: Precinct 1.

• MIDDLESEX COUNTY (*Continued*) •

- DISTRICT 10 — PETER J. KOUTOUJIAN (D) OF WALTHAM⁶ —
 JOHN J. LAWN, JR. (D) OF WATERTOWN⁷ —
 Newton: Ward 1: Precincts 1, 4, Ward 3: Precinct 4; Waltham: Wards 5, 6, Ward 7:
 Precinct 2, Wards 8, 9; Watertown: Precinct 10.
- DISTRICT 11 — KAY KHAN (D) OF NEWTON —
 Newton: Ward 1: Precincts 2, 3, Ward 2: Precincts 1, 2, 3, Ward 3: Precincts 1, 2, 3,
 Ward 4, Ward 5: Precinct 4, Ward 7: Precinct 2.
- DISTRICT 12 — RUTH B. BALSER (D) OF NEWTON —
 Newton: Ward 5: Precincts 1, 2, 3, Ward 6, Ward 7: Precincts 1, 3, 4, Ward 8.
- DISTRICT 13 — THOMAS P. CONROY (D) OF WAYLAND —
 Lincoln; Sudbury; Wayland.
- DISTRICT 14 — CORY ATKINS (D) OF CONCORD —
 Acton: Precincts 1, 2, 6; Carlisle; Concord; Chelmsford: Precincts 1, 9.
- DISTRICT 15 — JAY R. KAUFMAN (D) OF LEXINGTON —
 Arlington: Precincts 14, 17, 20, 21; Lexington: Precincts 1, 5, 6, 7, 8, 9; Woburn:
 Wards 1, 7.
- DISTRICT 16 — THOMAS A. GOLDEN, JR. (D) OF LOWELL —
 Chelmsford: Precincts 2, 6, 8; Lowell: Ward 5: Precincts 1, 2, 3, Wards 6, 9.
- DISTRICT 17 — DAVID M. NANGLE (D) OF LOWELL —
 Chelmsford: Precinct 4; Lowell: Ward 1, Ward 2: Precinct 3, Ward 4: Precincts 2, 3,
 Wards 10, 11.
- DISTRICT 18 — KEVIN J. MURPHY (D) OF LOWELL —
 Lowell: Ward 2: Precincts 1, 2, Ward 3, Ward 4: Precinct 1, Wards 7, 8.
- DISTRICT 19 — JAMES R. MICELI (D) OF WILMINGTON —
 Tewksbury: Precincts 1, 1A, 2, 2A, 4, 4A; Wilmington: Precincts 1, 2, 4, 5, 6.
- DISTRICT 20 — BRADLEY H. JONES, JR. (R) OF NORTH READING —
 Lynnfield: Precincts 1, 3, 4 (Essex Co.); Middleton: Precinct 1 (Essex Co.); North
 Reading; Reading: Precincts 1, 4, 6, 7, 8.
- DISTRICT 21 — CHARLES A. MURPHY (D) OF BURLINGTON —
 Bedford; Burlington; Wilmington: Precinct 3.
- DISTRICT 22 — MARC T. LOMBARDO (R) OF BILLERICA — Billerica.
- DISTRICT 23 — SEAN GARBALLEY (D) OF ARLINGTON —
 Arlington: Precincts 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19; Medford:
 Ward 3: Precinct 2, Ward 6: Precincts 1, 2.
- DISTRICT 24 — WILLIAM N. BROWNSBERGER (D) OF BELMONT —
 Arlington: Precincts 2, 4; Belmont; Cambridge: Ward 10: Precinct 3, Ward 11:
 Precincts 1, 2, 3.
- DISTRICT 25 — ALICE K. WOLF (D) OF CAMBRIDGE —
 Cambridge: Ward 4, Ward 6: Precincts 2, 3, Wards 7, 8, Ward 10: Precincts 1, 2.

6. Resigned January 21, 2011.

7. Elected May 10, 2011; qualified May 25, 2011.

- DISTRICT 26 — TIMOTHY J. TOOMEY, JR. (D) OF CAMBRIDGE —
Cambridge: Ward 1, Ward 2: Precinct 1, Ward 3: Precincts 1, 2, Ward 6: Precinct 1;
Somerville: Ward 1, Ward 2: Precincts 1, 2.
- DISTRICT 27 — DENISE PROVOST (D) OF SOMERVILLE —
Somerville: Ward 2: Precinct 3, Ward 3, Ward 4: Precinct 3, Wards 5, 6.
- DISTRICT 28 — STEVEN STAT SMITH (D) OF EVERETT —
Everett; Malden: Ward 7: Precinct 2.
- DISTRICT 29 — JONATHAN HECHT (D) OF WATERTOWN —
Cambridge: Ward 9; Watertown: Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12.
- DISTRICT 30 — JAMES J. DWYER (D) OF WOBURN —
Reading: Precincts 2, 3, 5; Stoneham: Precinct 3; Woburn: Wards 2, 3, 4, 5, 6.
- DISTRICT 31 — JASON M. LEWIS (D) OF WINCHESTER —
Stoneham: Precincts 1, 2, 4, 5, 6, 7; Winchester.
- DISTRICT 32 — PAUL BRODEUR (D) OF MELROSE —
Melrose; Wakefield: Precincts 3, 4, 5, 6.
- DISTRICT 33 — CHRISTOPHER G. FALLON (D) OF MALDEN —
Malden: Ward 2, Ward 3: Precinct 1, Wards 4, 5, 6, 8.
- DISTRICT 34 — CARL M. SCIORTINO, JR. (D) OF MEDFORD —
Medford: Wards 4, 5, Ward 7: Precinct 1, Ward 8: Precinct 2; Somerville: Ward 4:
Precincts 1, 2, Ward 7.
- DISTRICT 35 — PAUL J. DONATO (D) OF MEDFORD —
Malden: Ward 1, Ward 3: Precinct 2, Ward 7: Precinct 1; Medford: Wards 1, 2,
Ward 3: Precinct 1, Ward 7: Precinct 2, Ward 8: Precinct 1.
- DISTRICT 36 — COLLEEN M. GARRY (D) OF DRACUT —
Dracut; Tyngsborough.
- DISTRICT 37 — JENNIFER E. BENSON (D) LUNENBURG —
Acton: Precincts 3, 4, 5; Boxborough; Shirley; Harvard (Worcester Co.); Lancaster:
Precinct 1 (Worcester Co.); Lunenburg (Worcester Co.).

• NORFOLK COUNTY •

- DISTRICT 1 — BRUCE J. AYERS (D) OF QUINCY —
Quincy: Ward 3: Precincts 3, 4, Ward 4: Precincts 1, 3, Ward 5: Precincts 2, 5,
Ward 6; Randolph: Precincts 5, 6.
- DISTRICT 2 — TACKEY CHAN (D) OF QUINCY —
Quincy: Ward 1, Ward 3: Precincts 1, 2, 5, Ward 4: Precincts 2, 4, Ward 5:
Precincts 1, 3, 4.
- DISTRICT 3 — RONALD MARIANO (D) OF QUINCY —
Holbrook: Precincts 2, 3, 4; Quincy: Ward 2, Ward 4: Precinct 5; Weymouth:
Precincts 5, 6, 9, 12, 16.
- DISTRICT 4 — JAMES M. MURPHY (D) OF WEYMOUTH —
Weymouth: Precincts 1, 2, 3, 4, 7, 8, 10, 11, 13, 14, 15, 17, 18.
- DISTRICT 5 — MARK J. CUSACK (D) OF BRAINTREE —
Braintree; Holbrook: Precinct 1; Randolph: Precinct 3.

• NORFOLK COUNTY (*Continued*) •

- DISTRICT 6 — WILLIAM C. GALVIN (D) OF CANTON —
Avon; Canton; Stoughton: Precincts 1, 5, 7, 8.
- DISTRICT 7 — WALTER F. TIMILTY (D) OF MILTON —
Milton: Precincts 2, 4, 5, 6, 7, 8, 9, 10; Randolph: Precincts 1, 2, 4, 7, 8.
- DISTRICT 8 — LOUIS L. KAFKA (D) OF STOUGHTON —
Mansfield: Precinct 4 (Bristol Co.); Sharon; Stoughton: Precincts 2, 3, 4, 6; Walpole:
Precincts 3, 4.
- DISTRICT 9 — DANIEL B. WINSLOW (R) OF NORFOLK —
Medfield: Precincts 3, 4; Millis: Precinct 1; Norfolk; Plainville; Walpole: Precinct 5;
Wrentham.
- DISTRICT 10 — JAMES E. VALLEE (D) OF FRANKLIN —
Franklin; Medway: Precincts 2, 3, 4.
- DISTRICT 11 — PAUL MCMURTRY (D) OF DEDHAM —
Dedham; Walpole: Precinct 8; Westwood.
- DISTRICT 12 — JOHN H. ROGERS (D) OF NORWOOD —
Norwood; Walpole: Precincts 1, 2, 6, 7.
- DISTRICT 13 — DENISE C. GARLICK (D) OF NEEDHAM —
Dover; Medfield: Precincts 1, 2; Needham.
- DISTRICT 14 — ALICE HANLON PEISCH (D) OF WELLESLEY —
Natick: Precinct 10 (Middlesex Co.); Weston (Middlesex Co.); Wellesley.
- DISTRICT 15 — FRANK I. SMIZIK (D) OF BROOKLINE —
Brookline: Precincts 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13.

• PLYMOUTH COUNTY •

- DISTRICT 1 — VIRIATO MANUEL DEMACEDO (R) OF PLYMOUTH —
Plymouth: Precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14.
- DISTRICT 2 — SUSAN WILLIAMS GIFFORD (R) OF WAREHAM —
Bourne: Precincts 1, 2 (Barnstable Co.); Carver; Wareham.
- DISTRICT 3 — GARRETT J. BRADLEY (D) OF HINGHAM —
Cohasset (Norfolk Co.); Hingham; Hull; Scituate: Precinct 3.
- DISTRICT 4 — JAMES M. CANTWELL (D) OF MARSHFIELD —
Marshfield; Scituate: Precincts 1, 2, 4, 5, 6.
- DISTRICT 5 — RHONDA L. NYMAN (D) OF HANOVER —
Hanover; Norwell; Rockland.
- DISTRICT 6 — DANIEL K. WEBSTER (R) OF PEMBROKE —
Duxbury: Precincts 2, 3, 4, 5; Halifax: Precinct 2; Hanson; Pembroke.
- DISTRICT 7 — GEOFF DIEHL (R) OF WHITMAN —
Abington; East Bridgewater; Whitman.
- DISTRICT 8 — ANGELO L. D'EMILIA (R) OF BRIDGEWATER —
Easton: Precinct 6 (Bristol Co.); Raynham (Bristol Co.); Bridgewater.

- DISTRICT 9 — MICHAEL D. BRADY (D) OF BROCKTON —
Brockton: Ward 1: Precincts B, D, Ward 2: Precincts B, C, D, Ward 3, Ward 4:
Precincts A, D, Ward 5: Precinct A.
- DISTRICT 10 — CHRISTINE E. CANAVAN (D) OF BROCKTON —
Easton: Precinct 3 (Bristol Co.); Brockton: Ward 4: Precincts B, C, Ward 5: Precincts
B, C, D, Ward 6; West Bridgewater.
- DISTRICT 11 — GERALDINE CREEDON (D) OF BROCKTON —
Easton: Precincts 1, 2, 4, 5 (Bristol Co.); Brockton: Ward 1: Precincts A, C, Ward 2:
Precinct A, Ward 7.
- DISTRICT 12 — THOMAS J. CALTER (D) OF KINGSTON —
Duxbury: Precincts 1, 6; Halifax: Precinct 1; Kingston; Middleborough: Precincts 1,
5; Plymouth: Precincts 1, 11, 13; Plympton.
- SUFFOLK COUNTY •
- DISTRICT 1 — CARLO BASILE (D) OF BOSTON —
Boston: Ward 1: Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.
- DISTRICT 2 — EUGENE L. O'FLAHERTY (D) OF CHELSEA —
Boston: Ward 2; Chelsea: Wards 1, 2, Ward 3: Precincts 1, 3, Ward 4: Precincts 1, 4.
- DISTRICT 3 — AARON MICHLEWITZ (D) OF BOSTON —
Boston: Ward 3: Precincts 1, 2, 3, 4, 6, 7, 8, Ward 4: Precinct 1, Ward 5: Precinct 1,
Ward 8: Precincts 1, 2, 3.
- DISTRICT 4 — NICK COLLINS (D) OF BOSTON —
Boston: Ward 1: Precinct 15 Harbor Islands, Ward 6; Ward 7: Precincts 1, 2, 3, 4, 5,
6, 7, 8, 9, Ward 8: Precinct 6, Ward 13: Precinct 3.
- DISTRICT 5 — CARLOS HENRIQUEZ (D) OF BOSTON —
Boston: Ward 7: Precinct 10, Ward 8: Precincts 5 and 7, Ward 12: Precinct 6,
Ward 13: Precincts 1, 2, 4, 5, 6, Ward 15: Precincts 1, 2, 3, 4, 5, 7, 8, 9, Ward 16:
Precinct 1, Ward 17: Precinct 2.
- DISTRICT 6 — RUSSELL E. HOLMES (D) OF BOSTON —
Boston: Ward 14: Precincts 5, 8, 9, 10, 11, 12, 13, 14, Ward 17: Precincts 7, 8, 10, 11,
Ward 18: Precincts 7, 8, 15, Ward 19: Precincts 11, 12, 13.
- DISTRICT 7 — GLORIA L. FOX (D) OF BOSTON —
Boston: Ward 4: Precincts 8, 9, 10, Ward 8: Precinct 4, Ward 9: Precincts 4, 5,
Ward 10: Precinct 4, Ward 11: Precinct 1, Ward 12: Precincts 1, 2, 3, 4, 5, 8, 9,
Ward 21: Precinct 1.
- DISTRICT 8 — MARTHA M. WALZ (D) OF BOSTON —
Cambridge (Middlesex Co.): Ward 2: Precinct 3, Ward 3: Precinct 3, Ward 5; Boston:
Ward 3: Precinct 5, Ward 5: Precincts 3, 4, 5, 6, 7, 8, 9, 11.
- DISTRICT 9 — BYRON RUSHING (D) OF BOSTON —
Cambridge (Middlesex Co.): Ward 2: Precinct 2, Boston: Ward 4: Precincts 2, 3, 4, 5,
6, 7, Ward 5: Precincts 2, 10, Ward 9: Precincts 1, 2, 3.
- DISTRICT 10 — EDWARD F. COPPINGER (D) OF BOSTON —
Brookline (Norfolk Co.): Precincts 14, 15, 16; Boston: Ward 20: Precincts 3, 5, 6, 7,
10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.

• SUFFOLK COUNTY (*Continued*) •

- DISTRICT 11 — ELIZABETH A. MALIA (D) OF BOSTON —
Boston: Ward 11: Precincts 2, 3, 4, 5, 7, 8, 9, 10, Ward 12: Precinct 7, Ward 14:
Precincts 1, 2, 3, 4, 6, 7, Ward 19: Precincts 6, 7.
- DISTRICT 12 — LINDA DORCENA FERRY (D) OF BOSTON —
Milton (Norfolk Co.) Precincts 1, 3; Boston: Ward 16: Precincts 8, 11, 12, Ward 17:
Precincts 4, 12, 13, 14, Ward 18: Precincts 1, 2, 3, 4, 5, 6, 21.
- DISTRICT 13 — MARTIN J. WALSH (D) OF BOSTON —
Boston: Ward 13: Precincts 7, 8, 9, 10, Ward 15, Precinct 6, Ward 16: Precincts 2, 3,
4, 5, 6, 7, 9, 10, Ward 17: Precincts 1, 3, 5, 6, 9.
- DISTRICT 14 — ANGELO M. SCACCIA (D) OF BOSTON —
Milton (Norfolk Co.): Precinct 11; Boston: Ward 18: Precincts 9, 10, 11, 12, 13, 14,
16, 17, 18, 19, 20, 22, 23, Ward 19: Precinct 10, Ward 20: Precincts 8, 9.
- DISTRICT 15 — JEFFREY SÁNCHEZ (D) OF BOSTON —
Brookline (Norfolk Co.): Precinct 5; Boston: Ward 10: Precincts 1, 2, 3, 5, 6, 7, 8, 9,
Ward 11: Precinct 6, Ward 19: Precincts 1, 2, 3, 4, 5, 8, 9, Ward 20: Precincts 1, 2, 4.
- DISTRICT 16 — KATHI-ANNE REINSTEIN (D) OF REVERE —
Saugus: Precincts 3, 10 (Essex Co.); Chelsea: Ward 3: Precincts 2, 4, Ward 4:
Precincts 2, 3; Revere: Ward 1: Precinct 3, Ward 3: Precinct 1, Ward 4: Precincts 1,
2, 3, Ward 5: Precincts 1, 2, Ward 6: Precincts 1, 2, 3.
- DISTRICT 17 — KEVIN G. HONAN (D) OF BOSTON —
Boston: Ward 21: Precincts 3, 5, 6, 7, 8, 9, 10, 11, 12, Ward 22: Precincts 2, 3, 6,
9, 10.
- DISTRICT 18 — MICHAEL J. MORAN (D) OF BOSTON —
Brookline (Norfolk Co.): Precinct 1; Boston: Ward 21: Precincts 2, 4, 13, 14, 15, 16,
Ward 22: Precincts 1, 4, 5, 7, 8, 11, 12, 13.
- DISTRICT 19 — ROBERT A. DELEO (D) OF WINTHROP —
Revere: Ward 1: Precincts 1, 2, Ward 2, Ward 3: Precincts 2, 3, Ward 5: Precinct 3;
Winthrop.

• WORCESTER COUNTY •

- DISTRICT 1 — KIMBERLEY N. FERGUSON (R) OF HOLDEN —
Holden; Hubbardston; Oakham; Princeton; Rutland; Sterling; Precinct 1;
Westminster.
- DISTRICT 2 — RICHARD BASTIEN (R) OF GARDNER —
Ashby (Middlesex Co.), Gardner, Ashburnham, Royalston, Winchendon.
- DISTRICT 3 — STEPHEN L. DiNATALE (D) OF FITCHBURG — Fitchburg.
- DISTRICT 4 — DENNIS A. ROSA (D) OF LEOMINSTER — Leominster.
- DISTRICT 5 — ANNE M. GOBI (D) OF SPENCER —
Ware: Precinct A (Hampshire Co.); Barre; Brookfield; Hardwick; New Braintree;
North Brookfield; Petersham; Phillipston; West Brookfield; Spencer: Precincts 2, 3;
Templeton.

- DISTRICT 6 — GERALDO ALICEA (D) OF CHARLTON⁸ —
 PETER J. DURANT (R) OF SPENCER⁹ —
 East Brookfield; Oxford: Precinct 2; Southbridge; Spencer: Precincts 1, 4.
- DISTRICT 7 — PAUL K. FROST (R) OF AUBURN —
 Auburn; Millbury; Oxford: Precincts 1, 3; Sutton: Precinct 3.
- DISTRICT 8 — KEVIN J. KUROS (R) OF UXBRIDGE —
 Douglas; Dudley; Oxford: Precinct 4; Uxbridge: Precinct 3; Webster.
- DISTRICT 9 — GEORGE N. PETERSON, JR. (R) OF GRAFTON —
 Grafton; Northbridge; Upton; Westborough: Precincts 3, 5.
- DISTRICT 10 — JOHN V. FERNANDES (D) OF MILFORD —
 Hopedale; Mendon; Milford.
- DISTRICT 11 — MATTHEW A. BEATON (R) OF SHREWSBURY —
 Shrewsbury; Westborough: Precincts 1, 4.
- DISTRICT 12 — HAROLD P. NAUGHTON, JR. (D) OF CLINTON —
 Boylston; Clinton; Northborough; Sterling: Precinct 2; Lancaster: Precinct 2.
- DISTRICT 13 — JOHN J. MAHONEY (D) OF WORCESTER —
 Paxton; Worcester: Ward 1: Precincts 1, 2, 3, 4, Ward 9, Ward 10: Precinct 3.
- DISTRICT 14 — JAMES J. O'DAY (D) OF WEST BOYLSTON —
 West Boylston; Worcester: Ward 1: Precinct 5, Ward 2, Ward 3: Precincts 1, 3, 5.
- DISTRICT 15 — VINCENT A. PEDONE (D) OF WORCESTER —
 Worcester: Ward 3: Precincts 2, 4, Ward 4, Ward 5: Precinct 3, Ward 10: Precincts 1, 2, 4, 5.
- DISTRICT 16 — JOHN P. FRESOLO (D) OF WORCESTER —
 Worcester: Ward 5: Precincts 1, 2, 4, 5, Ward 6, Ward 8: Precincts 1, 5.
- DISTRICT 17 — JOHN J. BINIENDA (D) OF WORCESTER —
 Leicester; Worcester: Ward 7, Ward 8: Precincts 2, 3, 4.
- DISTRICT 18 — RYAN C. FATTMAN (R) OF SUTTON —
 Bellingham (Norfolk Co.); Blackstone; Millville; Sutton: Precincts 1, 2; Uxbridge:
 Precincts 1, 2, 4.

8. Served as a “holdover” until May 25, 2011 (under Art. LXIV, as amended by Art. LXXXII of the Amendments to the Constitution).

9. Elected May 10, 2011; qualified May 25, 2011.

JOURNAL OF THE HOUSE.

Wednesday, January 4, 2012.

General
Court
convened.

The second annual session of the one hundred and eighty-seventh General Court of the Commonwealth of Massachusetts convened at the State House in Boston on the first Wednesday of January, being the fourth day of the year two thousand twelve and of the year of the independence of the United States of America the two hundred and thirty-sixth.

House
called to
order.

And the members of the House of Representatives, having assembled in the Representatives' Chamber, were called to order at twelve o'clock noon by Representative Paul J. Donato of Medford (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.

Prayer.

The Speaker being in the Chair,—

Prayer was offered by the Father Charles Bourke of Saint John the Evangelist Parish in Winthrop, as follows:

Prayer.

Almighty God, as we gather here this afternoon for the second annual session of the one hundred and eighty-seventh General Court, we pause to invoke Your blessing.

Bless all the members gathered here with wisdom, courage and compassion.

As each new challenge confronts them, grant them strength and patience to meet their tasks.

May they be strong in virtue, firm in time of trouble and always ready to help others in their time of need.

Make them aware of the great responsibilities placed upon their shoulders as elected officials.

Help them to recognize the new opportunities and challenges You continually give them.

Bless us all as we go about the duties and responsibilities of our lives and give each of us here today the blessing of Your peace.

We ask a special blessing on Speaker DeLeo, the members and employees of this House and their families. We are grateful for their work.

All these things we ask in Your Holy Name. Amen.

Mr. Rushing then moved that the prayer be spread upon the records of the House; and the motion prevailed.

Guest of the House.

Stephen J.
Murphy,—
Boston City
Council.

The Speaker thereupon introduced the Honorable Stephen J. Murphy, President of the Boston City Council, who was present in the House Chamber to attend the opening of the second annual session of the one hundred and eighty-seventh General Court.

Communication.

A communication from Plainridge Racecourse (under the provisions of Section 2 of Chapter 128C of the General Laws) submitting copies of contracts for the simulcasting of certain races, was placed on file. Plainridge Racecourse,— contracts.

Annual and Special Reports.

The annual report of the Massachusetts Cultural Council (under Chapter 123 of the Acts of 2006) submitting its annual report for the fiscal year 2011; and Massachusetts Cultural Council.

A special report of the Department of Public Health (under the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Western Massachusetts Women’s Correctional Center located in the city of Chicopee; and Women’s Correctional Center,— inspection.

A letter from Michael J. Ashe, Jr., Sheriff of Hampden County, submitting a plan of actions outlining corrective measures for defects identified in the above report; Hampden County,— inspection.

Severally were placed on file.

Notices of the Convening of the General Court.

On motion of Mrs. Haddad of Somerset,—

Ordered, That a special committee be appointed to notify the Senate that the House has been called to order and is ready to proceed to business. Senate notified of convening of House.

Representatives Haddad, Miceli of Wilmington, Wolf of Cambridge, Keenan of Salem, Peterson of Grafton, Humason of Westfield, Sullivan of Fall River, Golden of Lowell, Wong of Saugus, Linsky of Natick, Peake of Provincetown, deMacedo of Plymouth and Farley-Bouvier of Pittsfield were appointed the committee.

Subsequently Mrs. Haddad, for the committee, reported that they had attended to the duty assigned to them.

A message was received from the Senate, by a special committee thereof, announcing that that branch had convened and was ready to proceed to business. Notice of convening of Senate.

On motion of Mr. Cabral of New Bedford,—

Ordered, That a committee of members of the Senate and House of Representatives be appointed to wait upon His Excellency the Governor, Deval L. Patrick, His Honor the Lieutenant-Governor, Timothy P. Murray, and the Honorable Council and inform them that the two branches of the General Court are now assembled and ready to proceed to business. Governor, etc. notified of convening of General Court.

Representatives Cabral, Ferrante of Gloucester, Scaccia of Boston, DiNatale of Fitchburg, Frost of Auburn, Orrall of Lakeville, Chan of Quincy, Kocot of Northampton, Turner of Dennis, Poirier of North Attleborough, Dwyer of Woburn, Sciortino of Medford, Bastien of Gardner, Ferguson of Holden and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Subsequently notice was received that the Senate had adopted said order, and that Senators Hart, Rush, Chang-Diaz and Knapik had been appointed the committee on the part of the Senate.

Subsequently Mr. Cabral, for the committee, reported that they had attended to the duty assigned to them.

Orders.

On motion of Mr. Moran of Boston,—

Journal
of the
House.

Ordered, That the Clerk begin the keeping of, and making available daily in a format determined by the Speaker in consultation with the Clerk, the Journal, as authorized by Rule 10, and that the daily reading thereof be dispensed with, that, under authority of Section 10 of Chapter 5 of the General Laws, copies of the Journal for the entire session be printed and bound with the customary appendices and an index; and that an attested bound copy be deposited with the Secretary of the Commonwealth as the official Journal of the House.

Report of a Committee.

Stephen
Przybycien,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick bank for Stephen Przybycien (House, No. 3472). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing Holyoke Community College to borrow funds for the acquisition and renovation of certain real property in the city of Holyoke (see Senate, No. 1901, amended) (which originated in the Senate), 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 Speaker and sent to the Senate.

Id.

The engrossed Bill authorizing the town of Great Barrington to continue the employment of Fire Chief, Harry Jennings and Deputy Fire Chief, Edward G. McCormick (see House, No. 3450) (which originated in the House), 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.

Order.

On motion of Mr. Honan of Boston,—

Next
sitting.

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

At nineteen minutes before one o'clock P.M., on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Thursday, January 5, 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.

Resolutions.

Resolutions (filed with the Clerk by Representatives Linsky of Natick and Peisch of Wellesley) congratulating Matthew James McDermott on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules. Matthew James McDermott.

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

Petitions.

Ms. Peisch of Wellesley presented a petition (accompanied by bill, House, No. 3867) of Alice Hanlon Peisch, Cynthia Stone Creem and Richard J. Ross (by vote of the town) that the town of Wellesley be authorized to grant up to twelve additional licenses for the sale of wine and malt beverages to be drunk on the premises of restaurants and function rooms having a seating capacity of 50 or more seats; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence. Wellesley,—alcoholic beverages.

Petitions severally were presented and referred as follows:

By Mr. Dempsey of Haverhill, a petition (subject to Joint Rule 12) of Brian S. Dempsey for legislation to establish a sick leave bank for Catherine Blais, an employee of the Trial Court. Catherine Blais,—sick leave.

By Representative Fernandes of Milford and Senator Moore, a joint petition (subject to Joint Rule 12) of John V. Fernandes and Richard T. Moore for legislation to establish a sick leave bank for Kristen Robinson, an employee of the Department of Correction. Kristen Robinson,—sick leave.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

The House Bill 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), came from the Senate passed to be engrossed, in concurrence, with amendments, in lines 2 and 3, striking out the words "executive office of" Debra Callejas,—sick leave.

Debra
Callejas,—
sick leave.

labor and workforce development”, and striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Debra Callejas, an employee of the Department of Industrial Accidents.”

Under suspension of Rule 35, on motion of Mr. Galvin of Canton, 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.

Reports of Committees.

Apprentice
training,—
funds.

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 Ann-Margaret Ferrante and James J. Dwyer relative to apprentice training funds in the Division of Apprentice Training. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Health
impact
reports.

By Mr. Sanchez of Boston, for the committee on Public Health, on a petition, a Bill to promote healthy people and a healthy economy in Massachusetts (House, No. 1157, changed by striking out section 1). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Stephen
Przybycien,—
sick leave.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick leave bank for Stephen Przybycien (House, No. 3472), be scheduled for consideration by the House.

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

Engrossed Bills.

Quincy,—
property tax
abatement.

The engrossed Bill authorizing the city of Quincy to abate certain fiscal year 2010 real property taxes (see House, No. 3447) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered.

Rule 40
suspended.

Pending the question on passing the bill to be enacted, Mr. Chan of Quincy moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is forthwith to abate certain fiscal year 2010 real property taxes in the City of Quincy, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (see House, No. 3447, amended) was sent to the Senate for concurrence in the amendment.

Bill
enacted.

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, 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 7 to 0. Sent to the Senate for concurrence.

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.

The engrossed Bill authorizing a ballot question in the town of Arlington relative to the granting of additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 3648) (which originated in the House), 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. Bill enacted.

Orders of the Day.

The Senate Bill authorizing the town of Peru to establish a fire station construction fund (Senate, No. 1878), 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. Third reading bill.

The House Bill relative to the Mattapoissett River Valley Water District (House, No. 3758) 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. Sent to the Senate for concurrence. Id.

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 fourteen 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.

Monday, January 9, 2012.

Met at five minutes after 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.

Annual Reports.

Water Pollution Abatement Trust.

The annual reports of the Water Pollution Abatement Trust (under Section 17 of Chapter 29C of the General Laws) for the fiscal years ended June 30, 2010 and June 30, 2011, reflecting the overall fiscal health of the trust were placed on file [copies of said reports forwarded, under said section, to the President of the Senate, the Speaker of the House of Representatives and the Chairmen of the Senate and House committees on Ways and Means].

Resolutions.

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

Thomas Connolly.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Thomas Matthew Connolly upon his elevation to the rank of Eagle Scout;

John Fay.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating John Arthur Fay upon his elevation to the rank of Eagle Scout;

Michael Fay.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Michael Martyn Fay upon his elevation to the rank of Eagle Scout;

Maxwell Peters.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Maxwell Victor Peters upon his elevation to the rank of Eagle Scout;

Benjamin F. Reynolds.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Benjamin F. Reynolds upon his elevation to the rank of Eagle Scout;

Alexander H. Rudi.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Alexander H. Rudi upon his elevation to the rank of Eagle Scout;

William C. Scarpa.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating William C. Scarpa upon his elevation to the rank of Eagle Scout;

John Henry Walko.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating John Henry Walko upon his elevation to the rank of Eagle Scout;

Julian Zamudio-Herrera.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Julian Zamudio-Herrera upon his elevation to the rank of Eagle Scout;

Domenic J. F. Russo.

Resolutions (filed by Mr. Scaccia of Boston) honoring the honorable Domenic J. F. Russo on the occasion of this eightieth birthday; and

James A. Flynn, Jr.

Resolutions (filed by Ms. Stanley of West Newbury) congratulating Chief James A. Flynn, Jr., on his retirement from the Merrimac Police Department;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspen-

sion of the rules, in each instance, on motion of Mr. O'Day of West Boylston, 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 Linsky of Natick and Senator Spilka, a joint petition (accompanied by bill, House, No. 3868) of David Paul Linsky, Karen Spilka and others (by vote of the town) for legislation to authorize the town of Natick to issue an additional license for the sale of wines and malt beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure. Natick,—
liquor
license.

By Representative Linsky of Natick and Senator Spilka, a joint petition (accompanied by bill, House, No. 3869) of David Paul Linsky, Karen E. Spilka and others (by vote of the town) for legislation to authorize the town of Natick to increase the membership of the town forest committee from three to five members; Natick,—
town forest
committee.

By Representative Linsky of Natick and Senator Spilka, a joint petition (accompanied by bill, House, No. 3870) of David Paul Linsky, Karen E. Spilka and others (by vote of the town) for legislation to authorize the town of Natick to enter into a certain lease agreement; and Natick,—
lease.

By Representative Linsky of Natick and Senator Spilka, a joint petition (accompanied by bill, House, No. 3871) of David Paul Linsky, Karen E. Spilka and others (by vote of the town) for legislation to authorize the town of Natick to enter into a certain lease agreement; Id.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Paper from the Senate.

The House Bill further defining a scenic byway in the towns of Arlington, Lexington, Lincoln and Concord (House, No. 3712), 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 2097. Scenic
byway.

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.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House 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) [Local Approval Received], be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending. Boston,—
housing
contracts.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a Bill relative to

Boston,—
housing
contracts.

the procurement and award of contracts for certain affordable housing in the city of Boston (House, No. 3853),— then was adopted; and the substituted bill 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:

Milton,—
liquor
license.

The Senate Bill authorizing the town of Milton to grant a license for the sale of wines and malt beverages to be drunk on the premises of a certain restaurant (Senate, No. 2019); and

Firefighters.

The House Bill to protect volunteer firefighters for dismissal (House, No. 537);

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.

Child
neglect,—
school bus
drivers.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill requiring school bus operators and monitors to be mandated reporters of suspected child abuse or neglect (House, No. 50).

Peabody,—
voting
precincts.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill relative to a voting precinct in the city of Peabody (House, No. 3847) [Local Approval Received].

Newburyport,—
voting
precincts.

By the same member, for the same committee, on a joint petition, a Bill re-establishing existing Plum Island polling place within Ward 1 of the city of Newburyport (House, No. 3855) [Local Approval Received].

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

Emergency Measure.

Debra
Callejas,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Debra Callejas, an employee of the Department of Industrial Accidents (see House, No. 3733, 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 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.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing the town of Bolton to grant a license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3497) (which originated in the House), 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.

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

House bills

Establishing a sick leave bank for Stephen Przybycien, an employee of the Executive Office of Health and Human Services (House, No. 3472) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Relative to voting precincts in the city of Revere (House, No. 3782);

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. 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 seventeen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

Thursday, January 12, 2012.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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.

Resolutions.

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

Catholic Schools Week.

Resolutions (filed by Representatives Poirier of North Attleborough and Ross of Attleboro) recognizing the observance of National Catholic Schools Week by Bishop Feehan High School in Attleboro;

Id. Resolutions (filed by Representatives Poirier of North Attleborough and Ross of Attleboro) recognizing the observance of National Catholic Schools Week by St. John's in Attleboro;

Id. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) recognizing the observance of National Catholic Schools Week by St. Mary's School, Mansfield;

Id. Resolutions (filed by Mrs. Poirier of North Attleborough) recognizing the observance of National Catholic Schools Week by St. Mary's-Sacred Heart School in North Attleborough;

Id. Resolutions (filed by Representatives Beaton of Shrewsbury and Ferguson of Holden) recognizing the observance of National Catholic Schools Week by St. Mary's School, Shrewsbury;

Id. Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Orrall of Lakeville) on the occasion of the obser-vance of National Catholic Schools Week by Coyle and Cassidy High School in Taunton;

Id. Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Orrall of Lakeville) on the occasion of the obser-vance of National Catholic Schools Week by Our Lady of Lourdes School in Taunton;

Id. Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Orrall of Lakeville) on the occasion of the obser-vance of National Catholic Schools Week by St. Mary's Primary School in Taunton;

Id. Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Orrall of Lakeville) on the occasion of the obser-vance of National Catholic Schools Week by Taunton Catholic Middle School in Taunton;

Moraine Fallows.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratu-lating Moraine Fallows on the occasion of her retirement;

Eleanor Ruest.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratu-lating Eleanor Ruest on the occasion of her retirement;

Resolutions (filed by Representatives Ashe of Longmeadow, Coakley-Rivera of Springfield, Finn of West Springfield and Puppolo of Springfield) congratulating Springfield Fire Commissioner Gary G. Cassanelli on the occasion of his retirement; and

Gary G. Cassanelli.

Resolutions (filed by Representatives Cabral of New Bedford, Koczerka of New Bedford, Markey of Dartmouth and Orrall of Lakeville) congratulating the honorable Congressman Barney Frank on the occasion of his keynote speech to the city of New Bedford's 2012 Reverend Doctor Martin Luther King, Junior Program;

Barney Frank,—
keynote
speech.

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

Communication.

A communication from the Executive Office for Administration and Finance submitting recommendations of the Special Commission on Provider Price Reform, was placed on file.

Provider
Price
Reform.

Special Reports.

Annual reports

Of the Commission on the Status of Grandparents Raising Grandchildren (under Section 69(h) of Chapter 3 of the General Laws) for the calendar year 2011;

Grandparents.

Of the Chief Justice for Administration and Management of the Trial Court (under the provisions of Section 5 of Chapter 205 of the Acts of 2008) relative to the prosecution and disposition of cases involving certain offenses against children for the fiscal year ending June 30, 2011; and

Offenses
against
children,—
report.

Of the Office of the Comptroller submitting the Commonwealth's Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2011;

Comptroller,—
annual report.

A quarterly report of the Executive Office of Labor and Workforce Development (under Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through the end of September, 2011;

Unemployment
Trust Fund.

A monthly report of the Executive Office of Labor and Workforce Development (under Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for October, 2011; and

Id.

A special report of the Department of Public Health (under the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the M.C.I. Norfolk, located in the town of Norfolk.

M.C.I.
Norfolk,—
inspection.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Arciero of Westford and Senator Fargo, a joint petition (accompanied by bill, House, No. 3881) of James Arciero,

Chelmsford,—
land.

Susan C. Fargo and others (by vote of the town) for legislation to authorize the town of Chelmsford to lease a certain parcel of land in said town for agricultural purposes; and

Springfield,—
land.

By Mr. Petrolati of Ludlow, a petition (accompanied by bill, House, No. 3874) of Thomas M. Petrolati (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to convey certain park land and to grant a license agreement over certain park land to Unifirst Corporation;

Severally to the committee on Municipalities and Regional Government.

Ware,—
Jeanine
Bonnayer.

By Representative Smola of Palmer and Senator Brewer, a joint petition (accompanied by bill, House, No. 3875) of Todd M. Smola, Anne M. Gobi and Stephen M. Brewer (by vote of the town) relative to the appointment of Jeanine Bonnayer as a police officer in the town of Ware, notwithstanding the maximum age requirement. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Mortgages,—
reporting
requirements.

Mr. Brady of Brockton presented a petition (subject to Joint Rule 12) of Michael D. Brady and others for legislation to further regulate the reporting requirements of mortgages secured by residential property; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Truancy,—
fine.

By Mr. Chan of Quincy, a petition (subject to Joint Rule 12) of Tackey Chan for legislation to increase the fine for truancy.

Gaming,—
ballot
questions.

By Mr. Scaccia of Boston, a petition (subject to Joint Rule 12) of Angelo M. Scaccia, William F. Galvin (Secretary of the Commonwealth) and others relative to ballot questions concerning the issuance of licenses for gaming establishments.

Public
employees,—
marriage fees.

By Ms. Walz of Boston, a petition (subject to Joint Rule 12) of Martha M. Walz and others for legislation to regulate fees charged by public employees providing marriage-related services.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Educational
collaboratives.

A Bill relative to improving accountability and oversight of educational collaboratives (Senate, No. 2105) (on Senate bill No. 2101), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Freetown
Lakeville,—
school
district.

A Bill relative to the election of the Freetown Lakeville Regional School District committee members (Senate, No. 2095), passed to be engrossed by the Senate, was 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 matter be scheduled for consideration by the House.

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

Subsequently under suspension of the rules, on motion of Mr. Kaufman of Lexington, the bill (having been 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.

A petition of Barry R. Finegold, Paul Adams and James R. Miceli (accompanied by bill, Senate, No. 2104) for legislation relative to the position of town clerk in the town of Tewksbury, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Tewksbury,—
town clerk.

The following order, having been adopted by the Senate, was considered forthwith; and it was adopted, in concurrence.

Ordered, That a convention of the two branches be held at a half past six o'clock P.M., on Monday, January 23, 2012, for the purpose of receiving such communication as the Governor, Deval L. Patrick may be pleased to make to them relating to the concerns of the Commonwealth.

State of
the State
address.

Reports of Committees.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878) (for order, see House, No. 3879). The order was considered forthwith; and it was adopted.

Supplemental
appropriations,—
procedures.

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 following petitions;

Petition (accompanied by bill) of Jason M. Lewis and others for legislation to authorize municipalities to create stabilization funds for special education costs. To the committee on Municipalities and Regional Government.

Special
education,—
funds.

Petition (accompanied by bill) of George N. Peterson, Jr., Richard Bastien and Matthew A. Beaton for legislation to improve cooperation between state agencies and American Indian tribes. To the committee on State Administration and Regulatory Oversight.

American
Indian,—
relations.

Petition (accompanied by bill) of Shaunna L. O'Connell and others relative to the disposition of veterans' remains. To the committee on Veterans and Federal Affairs.

Veterans,—
remains.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Peabody,—
voting
precinct.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House bill relative to a voting precinct in the city of Peabody (House, No. 3847) [Local Approval Received], be scheduled for consideration by the House.

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

Subsequently under suspension of the rules, on motion of Mr. Brodeur of Melrose, the bill (having been 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. Sent to the Senate for concurrence.

Plum Island,—
voting
precinct.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill re-establishing existing Plum Island polling place within Ward 1 of the city of Newburyport (House, No. 3855) [Local Approval Received], be scheduled for consideration by the House.

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

Subsequently under suspension of the rules, on motion of Mr. Cusack of Braintree, the bill (having been 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. Sent to the Senate for concurrence.

Robert T.
Martin,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Robert T. Martin, an employee of the Department of Revenue (House, No. 3866), was read; and it was 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 Mr. Cusack of Braintree, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

Virtual
schools.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 1050, 1090 and 1960, a Bill establishing Commonwealth virtual schools (House, No. 3873). Read; and referred, under Rule 33, to the committee on Ways and Means.

Wakefield
housing
authority,—
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the sale of land by the Wakefield housing authority (Senate, No. 1986), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill improving water safety for children in the Commonwealth (Senate, No. 2075), 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 3880.

Children,—
water
safety.

By the same member, for the same committee, that the Bill increasing the experience and background necessary to operate low pressure processed steam boilers (House, No. 3568), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3876).

Steam
boilers.

By the same member, for the same committee, that the Bill relative to life settlements and stranger originated life insurance (House, No. 3573), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3877).

Life
insurance.

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

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3761, reported, in part, a Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878) [Total appropriation: \$129,712,290.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

Emergency Measure.

The engrossed Bill authorizing the town of Becket to continue the employment of the chief of police, William Elovirta (see House, No. 3509), 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.

Beckett,—
William
Elovirta.

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.

Engrossed Bills.

Engrossed bills

Authorizing the town of Peru to establish a fire station construction fund (see Senate, No. 1878); and

Bills
enacted.

Authorizing the town of Foxborough to establish an age limit for original appointment to the position of police officer (see Senate, No. 1887); and

(Which severally originated in the Senate); and

Relative to the granting of a club license for the sale of alcoholic beverages to be drunk on the premises in the town of Lincoln (see House, No. 3533);

Further regulating the selectman-town manager form of government in the town of Foxborough (see House, No. 3649); and

Further defining a scenic byway in the towns of Arlington, Lexington, Lincoln and Concord (see House, No. 3712);

(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
bill.

The House Bill designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney 9/11 Remembrance Memorial Bridge (House, No. 3740) (its title having been changed by the committee on Bills in 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.

Recess.

Recess.

At nineteen minutes before twelve o'clock noon, on motion of Mr. Kaufman of Lexington (Mr. Kafka of Stoughton being in the Chair), the House recessed until a quarter after twelve o'clock; and at ten minutes after two o'clock P.M., the House was called to order with Mr. Kafka in the Chair.

Emergency Measure.

Freetown
Lakeville,—
school
district.

The engrossed relative to the election of the Freetown Lakeville Regional School District committee members (Senate, No. 2095), 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 3 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.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

At twenty-eight minutes before three o'clock P.M., on motion of Mr. Smola of Palmer (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, January 17, 2012.

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).

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. Pledge of allegiance.

Resolutions.

Resolutions (filed with the Clerk by Ms. Malia of Boston and other members of the House) recognizing November 16, 2011 as Lesbian, Gay, Bisexual and Transgender Aging Project Appreciation Day, were referred, under Rule 85, to the committee on Rules. LGBT,— appreciation day.

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

Initiative Petitions.

Initiative petition of Arthur W. Kinsman and others for the passage of An Act to protect motor vehicle owners and small businesses in repairing motor vehicles (House, No. 3882) (received on January 10, 2012, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence. Motor vehicle,— repair.

Initiative petition of Jennifer Marie Rush and others for the passage of An Act promoting excellence in public schools (House, No. 3883) (received on January 10, 2012, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Education. Sent to the Senate for concurrence. Public schools,— excellence.

Initiative petition of Marcia Angell and others for the passage of An Act relative to death with dignity (House, No. 3884) (received on January 10, 2012, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on the Judiciary. Sent to the Senate for concurrence. Death with dignity.

Medical
marijuana.

Initiative petition of Richard Elliot Doblin and others for the passage of An Act for the humanitarian medical use of marijuana (House, No. 3885) (received on January 10, 2012, from the Secretary of the Commonwealth, having been transmitted by him to the Clerk of the House of Representatives as required by Article XLVIII of the Amendments to the Constitution), was referred, under said Article and Rule 24, to the committee on Public Health. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

Transportation
workers,—
retirement.

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey for legislation to include certain employees of the Department of Transportation in Group 2 of the public employees retirement system.

Cyrus E.
Dallin,—
official
sculptor.

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey for legislation to designate Cyrus E. Dallin as the official sculptor of the Commonwealth.

Unemployment
insurance,—
rates.

By Representative Jones of North Reading and Senator Tarr, a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to mitigating increasing costs to small businesses by freezing the unemployment rate.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Becket,—
William
Elovirta.

The engrossed Bill authorizing the town of Becket to continue the employment of the chief of police, William Elovirta (see House, No. 3509), came from the Senate with the endorsement that it had been amended by said branch by striking out the emergency preamble.

Under suspension of Rule 35, on motion of Mr. Mark of Peru, 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.

Taunton,—
affordable
housing.

A Bill relative to certain affordable housing in the city of Taunton (Senate, No. 2062) (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.

Victims,—
employment
leave.

A Bill to establish employment leave and safety remedies to victims of domestic violence, stalking and sexual assault (Senate, No. 918, amended in section 1, in line 13, inserting after the figure "24B" the following " , 26D, 50 and 51" (as changed by the Senate committee on Bills in the Third Reading); and inserting after line 112 the following paragraph:

"(7) This section shall not be construed to exempt an employer from complying with chapter 258B, section 14B of chapter 268 or any other general or special law or to limit the rights of any employee under said chapter 258B, said section 14B of chapter 268 or any other general or special law." (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2106) of Stanley C. Rosenberg and Peter Kocot (with the approval of the mayor and city council) for legislation relative to the charter of the city of Northampton, was referred, in concurrence, to the Municipalities and Regional Government. Northampton,—
town charter.

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 following petitions:

Petition (accompanied by bill) of Daniel P. Winslow that excavations for modifications or maintenance of Title V existing septic systems be exempt from permitting requirements. To the committee on Environment, Natural Resources and Agriculture. Title V
excavations,—
permitting.

Petition (accompanied by bill) of Brian S. Dempsey for legislation to establish a sick leave bank for Catherine Blais, an employee of the Trial Court. To the committee on the Judiciary. Catherine
Blais,—
sick leave.

Petition (accompanied by bill) of Martin J. Walsh for legislation to establish a sick leave bank for Richard Hughes, an employee of the Massachusetts Water Resources Authority. To the committee on Public Service. Richard
Hughes,—
sick leave.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878), be scheduled for consideration by the House. Supplemental
appropriations.

Under suspension of the Rule 7A, on motion of Mr. deMacedo of Plymouth, 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 House bills be scheduled for consideration by the House:

Requiring school bus operators and monitors to be mandated reporters of suspected child abuse or neglect (House, No. 50); and Child abuse,—
bus operators.

Relative to extending the deadline for mailing quarterly tax bills (House, No. 3854); Quarterly
tax bills.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

The Senate Bill requiring authorization by a town meeting vote of certain contracts made by the town of Middleborough regarding the sale by the town of water or wastewater treatment services (Senate, No. 1948) (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, in concurrence. Third
reading
bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At eleven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

Wednesday, January 18, 2012.

Met according to adjournment, at eleven o'clock A.M., 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 (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Groton, acting by and through its board of selectmen and board of water commissioners, to convey a conservation restriction on certain parcels of land to the Division of Fisheries and Wildlife by its Department of Fish and Game (House, No. 3886), was filed in the office of the Clerk on Tuesday, January 17, 2012. Groton,—land.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Statement Concerning Representative Walsh of Boston.

A statement of Mrs. Haddad of Somerset concerning Mr. Walsh of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Boston is unable to be present in the House Chamber for today's sitting due to a scheduling conflict. His missing of roll calls today is due entirely to the reason stated. Statement concerning Mr. Walsh of Boston.

Guests of the House.

During the session, Representative Nangle of Lowell took the Chair, declared a brief recess, and introduced former boxer Mickey Ward, Comedian Steve Sweeney and others. They were the guests of Messrs. Golden of Lowell, Murphy of Lowell and Nangle of Lowell. Mickey Ward and Steve Sweeney.

Resolutions.

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

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Jonathon Butler on receiving the Eagle Scout Award of the Boy Scouts of America; and Jonathon Butler.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Anthony Milani on receiving the Eagle Scout Award of the Boy Scouts of America; Anthony Milani.

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

Papers from the Senate.

Dudley,—
town
elections.

A Bill validating certain elections in the town of Dudley (Senate, No. 2048) (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.

World
Voice
week.

A petition (accompanied by bill) of Michael O. Moore, Harriette L. Chandler, John J. Binienda and James J. O'Day for legislation designating World Voice Week, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2107) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Requiring authorization by a town meeting vote of certain contracts made by the town of Middleborough regarding the sale by the town of water or wastewater treatment services (see Senate, No. 1948) (which originated in the Senate);

Authorizing the town of Becket to continue the employment of the chief of police, William Elovirta (see House, No. 3509, amended); and

Establishing a voting precinct in the city of Newburyport (see House, No. 3855);

(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.

Reports of Committee.

State
government
and finance.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill to create the position of poet laureate for the Commonwealth of Massachusetts (House, No. 891), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Recess.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M., and at that time the House was called to order with Mr. Donato in the Chair.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 147 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 182.

[See Yea and Nay No. 182 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Fox of Boston was spread upon the records as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous quorum roll call, I was absent from the House Chamber on official business in another part of the State House and therefore was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

Statement
of Ms. Fox
of Boston.

*Motions to Discharge a Certain Matter
in the Orders of the Day.*

The House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Supplemental
appropriations.

After remarks on the question on passing the bill to be engrossed, Mr. Peterson of Grafton moved that it be amended in section 2 by inserting after item 7066-0021 the following item:

“7077-0023 210,000.”

After remarks the amendment was rejected.

Mr. Turner of Dennis and others moved to amend the bill by adding the following section:

“SECTION 49. Item 4800-0038 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding ‘and, provided further that not less than \$65,000 shall be expended for the Children’s Cove Cape and Islands Child Advocacy Center,’”; and by striking the figures “242,757,069” and inserting in place thereof the figures “242,822,069”.

After remarks the amendments were rejected.

Mr. Koczera of New Bedford then moved to amend the bill by adding the following section:

“SECTION 49. Notwithstanding any law to the contrary the Executive Office of Health and Human Services and Medicaid shall make available to the so-called Group B hospitals the remainder of funds made available by the Centers for Medicaid and Medicare Services in FY.11 for a Transitional Relief for Private Hospitals program.”

The amendment was rejected.

Messrs. Timilty of Milton, Ayers of Quincy and Cusack of Braintree moved to amend the bill by adding the following section:

Supplemental appropriations.

“SECTION 49. For the design and installation of necessary traffic lights at the intersection of state-owned Rt. 28 at North Main Street and the intersection of Pleasant and West Streets as determined by the final traffic design \$750,000.”.

The amendment was rejected.

The same members then moved to amend the bill by adding the following section:

“SECTION 49. For a traffic study along the Rt. 28 corridor to investigate turning lanes, traffic signal improvements, and other necessary improvements along Rt. 28 including the intersections of Russ and Scanlon; Chestnut and Oak; The Higashi School entrance; and Centre Street \$180,000.”.

The amendment was rejected.

Messrs. Walsh of Lynn and Mariano of Quincy moved to amend the bill by striking out section 17 and inserting in place thereof the following section:

“SECTION 17. Chapter 176J of the General Laws is hereby amended by inserting after section 11 the following 2 sections:

Section 11A. A select or limited network plan shall continue to provide coverage for medically necessary services that are part of the treatment program for patients, prior to joining the select or limited network, undergoing an active course of treatment or follow up treatment for a chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as defined in section 1 of chapter 118G, that does not participate in a carrier’s select or limited network plan.

For services provided under this section, reimbursement shall be based on median in-network rates of that specific provider in such carrier’s private plans in a manner consistent with data filed by such carrier with the division of health care finance and policy; or if the specific provider does not participate in any other plan of the carrier, then based on negotiated rates. Patient cost sharing responsibility for the services sought may not exceed the lowest copayment obligation established by such carrier for the receipt of such services offered through the carrier’s select or limited network.

Section 11B. Patients receiving an active course of treatment or follow up treatment for a chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as defined in section 1 of chapter 118G, prior to joining a tiered network, shall not pay an amount for patient cost sharing responsibility that exceeds the cost-sharing tier with the second highest patient cost sharing responsibility.”;

By striking out section 18 and inserting in place thereof the following two sections:

“SECTION 18. Section 11A of chapter 176J of the General Laws is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

For an insured member who is receiving an active course of treatment or follow up treatment for a chronic disease and is newly enrolled in a select or limited network plan, the carrier shall provide coverage for those medically necessary services that are part of that

treatment program provided by a health care provider not participating in a carrier's plan pursuant to section 11 of chapter 176J for the duration of that treatment; provided that: (1) the insured's employer only offers the insured a choice of plans in which the provider is not a participant; (2) said provider is a comprehensive cancer center, pediatric hospital or pediatric specialty unit as defined in section 1 of chapter 118G; and (3) said provider is providing the insured with an ongoing course of treatment otherwise not available in-network.

SECTION 18A. Chapter 176J of the General Laws is hereby amended by inserting after section 13 the following 2 sections:—

Section 14. If a medically necessary and covered service is not available to a member within the carrier's provider network, the carrier must cover the services out-of-network, for as long as the service is unavailable in-network.

Section 15. Any insurer offering a tiered network plan shall clearly and conspicuously indicate in all promotional and agreement materials, the cost sharing differences for enrollees in the various tiers. The division of insurance shall promulgate regulations for what constitutes clear and conspicuous as well as the potential cumulative effects of these differences.”;

By striking out section 43 (as published) and inserting in place thereof the following section:

“SECTION 41. Notwithstanding any general or special law, rule or regulation to the contrary, the division of insurance shall conduct a review into the network adequacy and cost and quality-effectiveness of insurance products pursuant to section 11 of chapter 176J of the General Laws for the health care needs of children and the health care needs of cancer patients. The division of insurance shall promulgate regulations to ensure the needs of children and cancer patients are being met, consistent with cost and quality goals, and shall submit an annual report of its actions and potential legislative actions to the house and senate committees on ways and means and the joint committee on health care financing by December 31, 2012.”; and

By striking out section 48 (as published) and inserting in place thereof the following section:

“SECTION 46. Sections 18 and 19 shall take effect on July 31, 2013.”.

The amendments were adopted.

Mr. Dempsey of Haverhill then moved to amend the bill by striking out section 15 and inserting in place thereof the following section:

“SECTION 15. Chapter 68 of the Acts of 2011, in item 1410-0010, is hereby amended by inserting after the words ‘department of veterans’ services;’ the following:— provided further, that not less than \$10,000 shall be expended for the Korean War memorial located in the Charlestown navy yard’.”; and

By adding the following three sections:

“SECTION 49. Chapter 68 of the Acts of 2011 is hereby amended by striking out the clause:— “For the Plymouth sheriff's office, which may expend for the operation of the office an amount not to exceed \$16,000,000 from revenues received from federal inmate reimbursements” and inserting in place thereof the following:—

Supplemental appropriations.

For the operation of the Plymouth sheriff’s office; provided that the office may expend an amount not to exceed \$13,500,000 from revenues received from federal reimbursements;

SECTION 50. Chapter 68 of the Acts of 2011 is hereby amended by striking out the clause:— For the Bristol sheriff’s office, which may expend for the operation of the office an amount not to exceed \$8,460,000 from revenues received from federal inmate reimbursements” and inserting in place thereof the following:— For the operation of the Bristol sheriff’s office; provided that the office may expend an amount not to exceed \$7,710,000 from revenues received from federal reimbursements;”

SECTION 51. Chapter 2 of the resolves of 2010, as amended by section 91 of chapter 142 of the acts of 2011, is hereby further amended by striking out the last sentence and inserting in place thereof the following:

The commission shall report to the general court the results of its investigation and study and its recommendations, if any, by filing the same with the clerk of the senate and the clerk of the house of representatives not later than July 31, 2012. The commission shall continue to meet on a quarterly basis thereafter, to monitor progress on the subject and to determine whether further action may be required to implement the results of its investigation and study.”.

The amendments were adopted.

Ms. Wolf of Cambridge moved to amend the bill in section 2 by adding the following item:

“9110-1500 \$2,600,000.”

The amendment was rejected.

Ms. Provost of Somerville moved that the bill be amended by adding the following section:

“SECTION 52. Item 4513-1000 of section 2 of chapter 68 of the acts of 2011 is hereby amended by striking the figure \$4,656,797 and inserting in place thereof the following: \$5,956,797.”.

The amendment was rejected.

Ms. Wolf of Cambridge then moved to amend the bill by striking out sections 38 and 39 (as published) and inserting in place thereof the following two sections:

“SECTION 31. Said section 6 of said chapter 171 of the Acts of 2011 is hereby further amended by striking out the words ‘provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulation or policy affecting eligibility, benefits or administration of this program, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for any such change including, but not limited to, any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;’ and inserting in place thereof the following words:— provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulations, administrative practice or policy that would alter eligibility for or the level of benefits under this program, other than that which would benefit the clients, the department shall file with

the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for said changes, including but not limited to any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;

SECTION 32. Section 7 of said chapter 171 of the Acts of 2011 is hereby amended by striking out the last clause and inserting in place thereof the following words:— provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulations, administrative practice or policy that would alter eligibility for or the level of benefits under this program, other than that which would benefit the clients, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for said changes, including but not limited to any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses;”.

The amendment was adopted.

Mr. Bastien of Gardner then moved to amend the bill in section 2, in line 70, by inserting after the words “*Department of Correction*” the following item:

“8900-0001 \$610,500”;

and by inserting after section 50 the following section:

“SECTION 50A. Notwithstanding any general or special law to the contrary, the department of Corrections shall expend not less than \$610,500 for cities and towns hosting facilities”.

The amendments were rejected.

The same member then moved to amend the bill by inserting after section 3 the following section:

SECTION 3A. Section 3A of chapter 23A of the General Laws, as so appearing, is hereby amended by striking, in line 139, the figure “35,000” and inserting in place thereof the following:— “20,000”.

The amendment was rejected.

Mr. Murphy of Burlington then moved to amend the bill by striking out section 15; and the amendment was rejected.

Representatives Winslow of Norfolk and Peisch of Wellesley then moved to amend the bill by inserting after section 14 the following section:

“SECTION 14A. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby amended by inserting, in line 53, after the word ‘date.’ the following:— In the case of a decedent dying after December 31, 2009 and before January 1, 2011, for property acquired from said decedent within the meaning of section one thousand and fourteen (b) of the Code, the initial basis of such property shall be determined under section one thousand and fourteen of the Code, without reference to sections one thousand fourteen (d) and (f) of the Code; except that in the case of an election by the executor pursuant to § 301(c) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111- 312), the initial

Supplemental appropriations.

basis of property acquired from said decedent shall be determined under section one thousand and twenty two of the Code as amended and in effect on January 1, 2005.”.

The amendment was adopted.

Mr. Torrasi of North Andover then moved to amend the bill in section 16, in line 266, by inserting after the words “detached, shall.” (as changed by the committee on Bills in the Third Reading) the following sentence: “Furthermore, this change shall be applied retroactively to all certificates of approval administered within the last 12 months.”. The amendment was adopted.

Mr. Lombardo of Billerica moved to amend the bill by adding the following [A]four sections:

“SECTION 52. Notwithstanding any general or special law to the contrary, for the days of March 18, 2012 through March 23, 2012 inclusive, the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

Section 3. Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of March 18, 2012 through March 23, 2012 inclusive.

SECTION 53. On or before June 30, 2012, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION 54. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

SECTION 55. No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.”.

Pending the question on adoption of the amendment, Mr. Kaufman of Lexington moved to amend it by striking out the text of said amendment [at “A”] and inserting in place thereof the following: “section:

SECTION 52. Notwithstanding any general or special law to the contrary, the tax expenditure commission established by section 160 of chapter 68 of the acts of 2011 shall examine the issue of tax holidays including, but not limited to a meals tax holiday and furnish a report of their impacts on the state’s economy and revenue cost to the commonwealth, its transportation infrastructure and its cities and towns in the form of local aid, including, but not limited to, the current practices of other states, any anticipated change in employment or business growth and ancillary economic activity. The commission shall file the report with the joint committee on revenue by July 31, 2012.”.

Pending the question on adoption of the further amendment, Mr. Jones of North Reading asked for a count of the House to ascertain

Quorum.

if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 183.

[See Yea and Nay No. 183 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the further amendment, the sense of the House taken by yea and nays, at the request of Mr. Lombardo of Billerica; and on the roll call 116 members voted in the affirmative and 39 in the negative.

Further
amendment
adopted,—
yea and nay
No. 184.

[See Yea and Nay No. 184 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Scaccia of Boston then moved to amend the bill by adding the following two sections:

“SECTION 53: Section 4 of chapter 57 of the General Laws, as most recently amended by chapter 153 of the Acts of 2011 is hereby amended by striking and replacing all of the paragraph following ‘Seventh Suffolk’ with the following:

Consisting of precincts 8, 9 and 10 of ward 4, sub-precinct 2A of ward 5, precincts 1, 2, 3, 4, 5 and 8 of ward 12, precincts 4 and 5 of ward 9, and precinct 1 of ward 21 of the city of Boston, in the county of Suffolk.

SECTION 54: Section 2 of chapter 153 of the Acts of 2011 is hereby amended by striking and replacing with the following:

Notwithstanding the provisions of any general or special law to the contrary, for the purpose of electing representatives in the general court as provided in section 1, the election commissioners for the city of Boston shall include census blocks 0102032000, 0102032001, 0102032004, 0102032005, 0102033000, 0102033001, 0102033002, 0102033003, and 0102033004 in sub-precinct 2A of Ward 5 of the city of Boston. Notwithstanding and general or special law to the contrary, the city of Boston shall divide precinct 2 of Ward 5 along the representative district boundary into 2 sub-precincts. If the polling place for a sub-precinct created under this act is located in the same building as for an existing precinct, no additional election officers need be appointed for such sub-precinct.”

Pending the question on adoption of the amendment, Mr. Dempsey of Haverhill moved to amend it by adding the following two sections:

“SECTION 55: Section 1 of chapter 177 of the acts of 2011 is hereby amended by striking out the words “*Seventh Congressional District* - Consisting of wards 1, 2, 3, precinct 1 of ward 4, ward 5, precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4, precincts 1, 2, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and 10, precincts 1, 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward 13, wards 14 and 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10, 11, 12 and 13 of ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and the city of

Supplemental appropriations.

Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of Milton and the town of Randolph, both in the county of Norfolk.” and inserting in place thereof the following: *Seventh Congressional District* - Consisting of wards 1, 2, 3, precinct 1 of ward 4, ward 5, precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4, precincts 1, 2, sub-precinct 2A, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and 10, precincts 1, 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward 13, wards 14 and 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10, 11, 12 and 13 of ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and the city of Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of Milton and the town of Randolph, both in the county of Norfolk.

SECTION 56: Chapter 177 of the acts of 2011 is further amended by inserting after Section 9 the following: Section 9A. Notwithstanding any general or special law to the contrary, for the purpose of electing representatives in the Congress of the United States and delegates and alternate delegates to the national conventions of political parties as provided in section 1, the election commissioners for the city of Boston shall create sub-precinct 2A of ward 5 including census blocks 0102032000, 0102032001, 0102032004, 0102032005, 0102033000, 0102033001, 0102033002, 0102033003, and 0102033004, which shall be included within the Seventh Congressional District.”.

The further amendment was adopted.

The amendments previously offered by Mr. Scaccia of Boston, as amended, then also were adopted.

Pending the question on passing the bill to be engrossed, Mrs. Hadad of Somerset asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker having taken the Chair) 155 members were recorded as being in attendance.

[See Yea and Nay No. 185 in Supplement.]

Therefore a quorum was present.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Dempsey of Haverhill; and on the roll call 155 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 186 in Supplement.]

Therefore the bill (House, No. 3887, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders of the Day.

Mr. Donato of Medford being in the Chair,—
Senate bills

Authorizing the town of Milton to grant a license for the sale of wines and malt beverages to be drunk on the premises of a certain restaurant (Senate, No. 2019); and

Quorum,—
yea and nay
No. 185.

Bill passed to
be engrossed,—
yea and nay
No. 186.

Third
reading
bills.

Authorizing the city of Somerville to incur debt to maintain property leased, licensed, or otherwise under the control of the city pursuant to an agreement between the city and the Commonwealth (Senate, No. 2025);

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

Requiring school bus operators and monitors to be mandated reporters of suspected child abuse and neglect (House, No. 50); and

Second reading bills.

Relative to extending the deadline for mailing quarterly tax bills (House, No. 3854);

Severally were read a second time; and they were ordered to a third reading.

The House Bill authorizing the town of Topsfield to convey certain conservation land (House, No. 3719), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Topsfield,—land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 by adding the following sentence: “Parcel A is a portion of an open space parcel granted to the town of Topsfield by deed dated May 20, 1991 and recorded in book 10857, page 271 in the Essex south district registry of deeds.”

The amendment was adopted; and the bill (House, No. 3719, amended) 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 tomorrow at eleven o’clock A.M.

Next sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at seven minutes after five 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.

Thursday, January 19, 2012.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Pedone of Worcester 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. Pedone), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Guests of the House.

Youth
Mentoring
Day.

During the session, the Chair (Mr. Pedone of Worcester) declared a brief recess and introduced Jasmine Stewart of Boston and Kamyia Campbell of Boston who were attending Youth Mentoring Day in the State House. Accompanying the guests were their mentors, Ashley Stolba of Boston and Lauren Peters of Boston, the Policy Analysts for the office of the Minority Leader of the House, Bradley H. Jones, Jr., of North Reading. They were the guests of the office of the Minority Leader.

Resolutions.

Isabel
Melendez.

Resolutions (filed with the Clerk by Representatives Devers of Lawrence, Torrisi of North Andover, Adams of Andover, Campbell of Methuen and Dempsey of Haverhill) congratulating Isabel Melendez on her retirement from the Community Service Center of the Greater Lawrence Community Action Council, were referred, under Rule 85, to the committee on Rules.

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

Paper from the Senate.

Arlington,—
liquor
license.

The House Bill authorizing a ballot question in the town of Arlington relative to the granting of licenses for the sale of wines and malt beverages to be drunk on the premises in certain theaters (House, No. 3647), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following section:

“SECTION 2. If a majority of votes cast in answer to the question is in the affirmative, the town of Arlington shall be taken to have authorized the granting of licenses for the sale of wines and malt beverages to be drunk on the premises in privately operated enclosed entertainment facilities with minimum seating capacities of 100 that are used primarily for the presentation of motion pictures or dramatic, comedic or musical performances. Licenses granted under this act shall be subject to all other provisions of said chapter 138, except said section 11.”.

Under suspension of Rule 35, on motion of Mr. Garballey of Arlington, 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.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the recommended House text [see House, No. 3889] of the Senate Bill relative to improving accountability and oversight of education collaborative [see Senate, No. 2105] for order see (House, No. 3888).

Education collaborative,—
procedures.

The order was considered forthwith; and it was adopted.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to improving accountability and oversight of education collaboratives (Senate, No. 2105), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3889. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Education collaboratives.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill to continue the provision of supplemental health insurance to municipal employees (House, No. 3661). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Municipal employees,—
health insurance.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill further regulating creditable service for certain teachers (House, No. 2414). Read; and referred, under Rule 33, to the committee on Ways and Means.

Teachers,—
creditable service.

Orders of the Day.

The House Bill amending the charter of the town of Harwich (House, No. 3504) (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 passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

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 minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Pedone of Worcester being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, January 23, 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.

Resignation of Representative Brownsberger of Belmont.

The following communication was read; and spread upon the records of the House, as follows:

January 20, 2012.

The Honorable Steven T. James
Clerk of the House of Representatives
The Massachusetts State House
Room 145
Boston, MA 02133

Dear Mr. James:

I hereby resign as State Representative from the 24th Middlesex District effective upon my taking the oath of office as State Senator from the Second Suffolk and Middlesex District. I am expecting to take the oath of office on Tuesday, January 24th. Resignation of Representative William N. Brownsberger of Belmont.

Respectfully,

WILLIAM N. BROWNSBERGER,
State Representative,
24th Middlesex District.

Resignation of Representative Pedone of Worcester.

The following communication was read; and spread upon the records of the House, as follows:

January 20, 2012.

The Honorable Steven T. James
Clerk of the House of Representatives
The Massachusetts State House
Room 145
Boston, MA 02133

Dear Mr. James:

I am writing to offer my resignation as Representative in the General Court from the 15th Worcester District, effective at the close of business today, January 20, 2012. Thank you for your attention to this Resignation of Representative Vincent A. Pedone of Worcester.

Resignation of Representative Vincent A. Pedone of Worcester.

matter, and I want to offer you a personal thank you for our service together.

Respectfully,

VINCENT A. PEDONE,
State Representative,
15th Worcester District.

Appointments by the Speaker.

The Speaker announced that he had made the following appointments:

Commission on the Status of Women.

That Ms. Laurie Giardella of Nahant had been appointed to serve a full term; and that Ms. Maureen Reddy of Winthrop and Ms. Marianne Fleckner of Westford had been appointed to serve until October 31, 2014, as members (under Section 66 of Chapter 3 of the General Laws) of the Massachusetts Commission on the Status of Women;

Cranberry experiment board.

That Representative Straus of Mattapoissett had been appointed (under Section 261 of Chapter 60 of the Acts of 1994) to the Cranberry Experiment Station Board of Oversight;

Grandparents,—parenting.

That Representative Donato of Medford had been appointed (under Section 69 of Chapter 3 of the General Laws) to serve as a member of the permanent Commission on the Status of Grandparents raising Grandchildren;

Public school innovations.

That Ms. Trudy Macero of Winthrop and Ms. Mary Kay Wydra of Springfield had been appointed (under Section 181 of Chapter 240 of the Acts of 2010) to serve as members of the Commission to Develop an Index of Creative and Innovative Education in the Public Schools;

Asian-American Commission.

That he had appointed Mr. Larry Wong of Stoneham (to serve until December 31, 2012), Mr. Joel Buenaventura of Quincy (to serve until December 31, 2013) and Ms. Deborah Ho of Newton (to serve until December 31, 2014) as members (under Section 68 of Chapter 3 of the General Laws) of the Massachusetts Asian-American Commission;

College scholarships.

That Timothy Leshan of Northeastern University had been appointed to serve on the Special Commission established (under Section 190 of Chapter 68 of the Acts of 2011) to make an investigation and study of the Need to Incentivize the Commonwealth's College Scholarship System; and

Public Counsel Services.

That James C. Kennedy and Martin Healy had been appointed (under Section 1 of Chapter 211D of the General Laws) to serve as members of the Committee for Public Counsel Services.

Petitions.

Woburn,—ballot question.

Mr. Dwyer of Woburn presented a petition (accompanied by bill, House, No. 3892) of James J. Dwyer and others (with the approval of the mayor and city council) that the city of Woburn be authorized to place a certain question regarding the sale of alcoholic beverages on the city's election ballot; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Pearlene Odom,—

Mr. Galvin of Canton presented a petition (subject to Joint Rule 12) of William C. Galvin for legislation to establish a sick leave bank for

Pearlene Odom, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules. sick leave bank.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Murphy of Burlington, 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.

Ms. Gobi of Spencer presented a petition (subject to Joint Rule 12) of Anne M. Gobi and others for legislation to require drivers employed by companies transporting students to submit to alcohol and drug testing; and the same was referred, under Rule 24, to the committee on Rules. Drug and alcohol testing,— school transportation.

Paper from the Senate.

A Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2112) (on Senate, No. 2108, amended), passed to be engrossed by the Senate, was read; and referred, under Rule 33, to the committee on Ways and Means. Supplemental appropriations.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to life settlements and stranger originated life insurance (House, No. 3573), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3877),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending. Life insurance settlements.

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

Senate bills

Authorizing the sale of land by the Wakefield Housing Authority (Senate, No. 1986); Wakefield,— housing.

Validating certain elections in the town of Dudley (Senate, No. 2048) [Local Approval Received]; and Dudley,— elections.

Relative to certain affordable housing in the city of Taunton (Senate, No. 2062) [Local Approval Received]; Taunton,— housing.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Authorizing the town of Milton to grant a license for the sale of wines and malt beverages to be drunk on the premises of a certain restaurant (see Senate, No. 2019); Bills enacted.

Bills
enacted.

Authorizing the city of Somerville to incur debt to maintain property leased, licensed, or otherwise under the control of the city pursuant to an agreement between the city and the Commonwealth (see Senate, No. 2025);

(Which severally originated in the Senate); and

Authorizing a ballot question in the town of Arlington relative to the granting of licenses for the sale of wines and malt beverages to be drunk on the premises in certain theaters (see House, No. 3647, amended);

Authorizing the town of Danvers to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3699);

Relative to voting precincts in the city of Revere (see House, No. 3782);

Relative to enhancing the practice of nurse-midwives (see House, No. 3815);

Relative to voting precinct in the city of Peabody (see House, No. 3847);

(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.

Recess.

Recess.

At eight minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until half past six o'clock P.M.; and at that time the House was called to order with the Speaker in the Chair.

Joint Convention.

Joint Session
of the two
branches.

Pursuant to assignment, at half past six o'clock P.M., the two branches met in in the Chamber of the House of Representatives, for the purpose of receiving such communication as His Excellency, Deval L. Patrick, Governor of the Commonwealth, may be pleased to make relative to the concerns of the Commonwealth; and were called to order by the Honorable Therese Murray, President of the Senate.

Order Adopted.

On motion of Mr. Berry,—

Notification of
Lieutenant-
Governor and
others.

Ordered, That a committee be appointed to consist of members of the Senate and House of Representatives to wait upon His Honor the Lieutenant-Governor, the Constitutional officers, members of the Executive Council and other distinguished guests of the Governor and inform them that the two branches are now in Convention and request the honor of their presence.

Senators Brewer, Chandler, Downing and Tarr were appointed on the part of the Senate; and Representatives Haddad of Somerset, O'Day of West Boylston, Peterson of Grafton, Hogan of Stow, Costello of Newburyport, Vieira of Falmouth and Holmes of Boston, were appointed on the part of the House.

Subsequently, Mr. Brewer, for the committee, reported that His Honor, Timothy P. Murray, the Lieutenant-Governor, the Constitutional officers, members of the Executive Council, members of the Supreme Judicial Court and the Adjutant General would immediately attend upon the convention.

Shortly thereafter, His Honor the Lieutenant-Governor, Timothy P. Murray, the Constitutional officers, members of the Executive Council, members of the Supreme Judicial Court and Adjutant General Joseph C. Carter entered the Chamber under the escort of the Sergeant-at-Arms.

Prayer.

The President then introduced Rabbi Jonah Dov Pesner, Senior Vice President, Union for Reform Judaism, who delivered the following Invocation:

In the Torah portion
 That the Jewish people read this week
 We hear the story of the exodus;
 Specifically, the recitation of the plagues
 God brings down upon Egypt
 Calling out to Pharaoh;
 How long
 Will you refuse
 To humble yourself
 Before me?
 Let my people go
 That they may serve me ...
 So God we turn to you on the occasion
 Of this assembly
 As our esteemed Governor, Deval Patrick
 And his colleagues
 Here in the chamber of our government
 Gather to reflect on the
 State of the Commonwealth
 Under the hopeful gaze
 Of the women, men and children
 Who live and work here
 In Massachusetts,
 And ask you before God:
 Let us humble ourselves.
 Let us remember
 We are in Your service;
 There is a higher purpose;
 In the scripture
 We read of the plague of thick darkness:
 ... A darkness that can be touched ...
 That descended upon all the land of Egypt
 For three days
 People could not see one another ...
 While all the Israelites enjoyed light
 In their dwellings
 How could it be

Invocation.

Invocation.

That for the Egyptians
 It was utter darkness
 But among the Hebrew slaves
 There was light?
 The rabbis teach
 That the darkness was caused
 By the Egyptians' own
 Blindness
 They were *blind*
 To the suffering of the Hebrews!
 For seeing the pain of others
 Rising up against injustice
 Reaching up for the higher purpose
 Brings light —
 While closing our eyes
 Can only cause darkness ...
 Dear God,
 Much light has burst forth from this chamber
 This room,
 A cradle of American Democracy
 Where courageous representatives and senators
 In which bold governors
 Have championed the rights of all people;
 A body that in recent memory
 Became a model for the nation
 By guaranteeing every person access
 To health care
 By protecting the marriage rights
 Of all people
 By defending our young people
 From bullying and abuse
 These lawmakers have blazed
 The flaming light of justice
 And so our eyes are open
 To both the suffering
 And the beauty
 Of one another.
 Please God;
 Let not our eyes begin to close;
 Let not the darkness descend;
 Even during these painful economic times
 When resources seem so scarce
 And politics have become so cruel
 For the need is so very, very real.
 Open up our eyes oh God,
 Open them wide!
 Let us continue to see the truth
 About our sisters and brothers
 Throughout our great Commonwealth;
 And let us continue to be
 A model for our nation
 Unafraid

Undeterred
 Like the shining dome of this great hall
 Reflecting the midday sun
 From this very street
 So aptly named
 A Beacon –
 A Beacon of shining light
 Across our nation.
 And let us say, amen!

Order Adopted.

On motion of Mr. Tarr,—

Ordered, That a committee be appointed to consist of members of the Senate and House of Representatives to wait upon His Excellency the Governor and inform him that the two branches are now in Convention for the purpose of receiving such communication as he may be pleased to make to them relating to the concerns of the Commonwealth. Notification of Governor.

Senators Hart, Donoghue, Clark and Tarr were appointed on the part of the Senate; and Representatives Rushing of Boston, Beaton of Shrewsbury, Mahoney of Worcester, McMurtry of Dedham, Brady of Brockton, Wong of Saugus and Henriquez of Boston were appointed on the part of the House.

Subsequently, Mr. Hart, for the committee, reported that His Excellency the Governor, Deval L. Patrick would immediately attend upon the convention.

Moment of Silence.

The President then introduced Lieutenant-Governor Timothy P. Murray, who requested a moment of silence to the memories of Worcester Firefighter Jon D. Davies and Peabody Firefighter James Rice who died in the line of duty last month. Moment of silence.

Pledge of Allegiance.

The Lieutenant-Governor then introduced Worcester Deputy Fire Chief Geoffrey Gardell and Peabody Fire Chief Steven Pasden, who led the convention in the pledge of allegiance to the flag. Pledge of allegiance.

National Anthem.

The Lieutenant-Governor then introduced 12 year old Emma Henderson of Northampton, who sang our National Anthem. National Anthem.

Shortly thereafter, His Excellency the Governor, Deval L. Patrick, entered the Chamber under the escort of the Sergeant-at-Arms. State of the State address.

The President then introduced His Excellency the Governor, Deval L. Patrick, who thereupon addressed the Convention relative to the concerns of the Commonwealth (Senate, No. 5).

The President in the Chair, she then introduced Bishop John M. Borders, III, of the Morning Star Baptist Church who delivered the Benediction. Benediction.

JOURNAL OF THE HOUSE,

The President in the Chair, His Excellency the Governor, Deval L. Patrick, the Lieutenant Governor, the Constitutional officers, the members of the Executive Council, members of the Supreme Judicial Court and the Adjutant General then withdrew from the Chamber under the escort of the Sergeant-at-Arms.

At eight minutes past eight o'clock P.M., on motion of Mr. Petrucelli, the Convention was dissolved.

Order.

The Speaker being in the Chair,—
On motion of Ms. Wolf of Cambridge,—

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

Next
sitting.

At ten minutes after eight o'clock A.M., on motion of Ms. Ferrante of Gloucester, the House adjourned, to meet the following day at eleven o'clock A.M.

Tuesday, January 24, 2012.

Met according to adjournment, at eleven o'clock A.M., 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.

*Statement Concerning Representative
Coakley-Rivera of Springfield.*

A statement of Mr. Rushing of Boston concerning Ms. Coakley-Rivera of Springfield was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Coakley-Rivera of Springfield, is unable to be present in the House Chamber for today's sitting due to illness. Her missing of roll calls today is due entirely to the reason stated. Statement concerning Ms. Coakley-Rivera of Springfield.

Statement Concerning Representative Creedon of Brockton.

A statement of Mrs. Haddad of Somerset concerning Mrs. Creedon of Brockton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Creedon of Brockton, is unable to be present in the House Chamber for today's sitting due to a scheduled surgical procedure. Her missing of roll calls today is due entirely to the reason stated. Statement concerning Mrs. Creedon of Brockton.

Statement Concerning Representative Galvin of Canton.

A statement of Mrs. Haddad of Somerset concerning Mr. Galvin of Canton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Galvin of Canton, is unable to be present in the House Chamber for today's sitting due to a scheduling conflict. His missing of roll calls today is due entirely to the reason stated. Statement concerning Mr. Galvin of Canton.

Statement Concerning Representative Vallee of Franklin.

A statement of Mrs. Haddad of Somerset concerning Mr. Vallee of Franklin was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Vallee of Franklin, is unable to be present in the House Chamber for today's sitting due to his being on active military duty. His missing of roll calls today is due entirely to the reason stated. Statement concerning Mr. Vallee of Franklin.

Statement Concerning Representative Walsh of Framingham.

A statement of Mrs. Haddad of Somerset concerning Mr. Walsh of Framingham was spread upon the records of the House, as follows:

Statement concerning Mr. Walsh of Framingham.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Walsh of Framingham, is unable to be present in the House Chamber for today's sitting due to family business. His missing of roll calls today is due entirely to the reason stated.

Recess.

Recess.

At one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at thirteen minutes after one o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

Resolutions.

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

American Heart Month.

Resolutions (filed by Ms. Atkins of Concord and other members of the House) commending the American Heart Association on its celebration of February 2012 as American Heart Month; and

Louann Jendro.

Resolutions (filed by Miss Garry of Dracut and other members of the House) congratulating Louann Jendro on the occasion of her retirement;

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

Petitions.

The following petition (having been deposited in the office of the Clerk previously to five o'clock in the afternoon on Friday, January 21, 2011) was presented and it was referred, under Rule 24, as follows:

Dedham-Westwood Water District,—retirement.

By Mr. McMurtry of Dedham, a petition (subject Joint Rule 7A) of Paul McMurtry for legislation to authorize the Dedham-Westwood Water District employees to buyback credible service in the retirement system of Norfolk County.

To the committee on Rules.

Boston,—Gourdin Courthouse.

Representatives Fox of Boston and Barrows of Mansfield presented a petition (subject Joint Rule 12) of Gloria L. Fox and F. Jay Barrows for legislation to designate the courthouse in the Roxbury section of the city of Boston as the Edward O' Gourdin Courthouse; and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

Lowell,—Gentz Brothers Bridge.

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 David M. Nangle for legislation to designate a certain bridge on Morton Street in the city of Lowell as the Gentz Brothers Memorial Bridge. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

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 following petitions:

Petition (accompanied by bill) of Vincent A. Pedone relative to the accessibility of hearing aids. To the committee on Consumer Protection and Professional Licensure. Hearing aids.

Petition (accompanied by bill) of John H. Rogers for legislation to define the term "licensed mental health professional" to include educational psychologists under certain health insurance laws of the Commonwealth. To the committee on Mental Health and Substance Abuse. Health insurance,—
educational
psychologists.

Petition (accompanied by bill) of Anne M. Gobi and others for legislation to require drivers employed by companies transporting students to submit to alcohol and drug testing. To the committee on Transportation. School
drivers,—
alcohol and
drug
testing.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1048, a Bill requiring the sterilization of musical instruments in schools (House, No. 3893) [Representative Vieira of Falmouth dissenting]. Referred, under Joint Rule 1E, to the committee on Health Care Financing. Musical
instruments,—
sterilization.

Engrossed Bill.

The engrossed Bill relative to the city clerk of the city of Revere (see House, No. 3656) (which originated in the House), 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. Bill
enacted.

Orders of the Day.

Senate bills
 Authorizing the sale of land by the Wakefield Housing Authority (Senate, No. 1986); Second
reading
bills.
 Validating certain elections in the town of Dudley (Senate, No. 2048);
 and
 Relative to certain affordable housing in the city of Taunton (Senate, No. 2062);
 Severally were read a second time; and they were ordered to a third reading.

Second reading
bill amended.

The House Bill relative to life settlements and stranger originated life insurance (House, No. 3573), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3877),— was adopted.

The substituted bill then was ordered to a third reading.

Education
collaboratives.

The Senate Bill relative to improving accountability and oversight of education collaboratives (Senate, No. 2105, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Quorum.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad of Somerset), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 187.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (Mr. Donato of Medford being in the Chair) 143 members were recorded as being in attendance.

[See Yea and Nay No. 187 in Supplement.]

Therefore a quorum was present.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Ms. Peake of Provincetown moved to amend it in section 3, in line 239, by striking out the figures “12” and inserting in place thereof the figures “18”; and the amendment was rejected.

The same member then moved to amend the bill in section 1, in line 173, by inserting after the word “organization.” the following two sentences: “The board of the directors of an education collaborative shall appoint a LEAD nurse and shall provide such school nurse with all proper facilities for the performance of the school nurse’s duties. The education collaborative shall consider and meet the staffing level required to address the specific health care needs of the students enrolled in the education collaborative.”. The amendment was rejected.

After remarks, Mr. Hill of Ipswich moved to amend the bill by adding the following section:

“SECTION 7. Subsection (c) of section 5A of chapter 71B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking, in line 44, the number ‘4’ and replacing it with the number ‘3’ and said section is further amended by striking, in line 51, the number ‘4’ and replacing it with the number:— 3.”.

Point of
order.

Mr. O’Day of West Boylston thereupon raised a point of order that the amendment offered by the gentleman from Ipswich was improperly before the House for the reason that it went beyond the scope of the pending bill.

In answer to the point of order, the Chair (Mrs. Haddad of Somerset) stated that the bill currently before the House specifically pertains to only educational collaboratives. The amendment offered by the gentleman from Ipswich would affect special education programs of the Commonwealth delivered by a variety of institutions, including, but not limited to, collaboratives. Since the role of the Commonwealth in reimbursing those programs is not a topic of this bill and the proposed

amendment would expand upon the bill and its basis, the Chair ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Ms. Benson of Lunenburg and other members of the House then moved to amend the bill in section 1, in line 168, by inserting after the word “qualifications.” the following two sentences: “The board of the directors of an education collaborative shall appoint 1 or more registered nurses, subject to certification as a school nurse under said section 38G of said chapter 71, and shall provide such school nurse with all proper facilities for the performance of the school nurse’s duties. The collaborative shall consider and meet the staffing level required to address the specific health care needs of the students enrolled in the education collaborative.”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 5, in line 275, by inserting, after the word “obligations” the words “, regional school districts, transportation costs”; and the amendment was adopted.

Mr. Winslow of Norfolk then moved to amend the bill in section 1, in line 44, by inserting after the word “meeting.” the following sentence: “Upon petition of 10 or more registered voters in each municipality that participates in an education collaborative, and upon approval by a majority vote in each such municipality at the annual municipal election or special election called for such purpose, any member of the board of directors and the executive director shall be subject to removal from office.”.

Pending the question on adoption of the amendment, the same member moved to amend it by striking out the proposed new sentence and inserting in place thereof the following sentence: “Upon petition of 2 percent or more registered voters in each municipality that participates in an education collaborative, and upon approval by a majority vote in each such municipality at the annual municipal election or special election called for such purpose, any member of the board of directors and the executive director shall be subject to removal from office.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of Mr. Winslow; and on the roll call 35 members voted in the affirmative and 116 in the negative.

Further amendment rejected,—yea and nay No. 188.

[See Yea and Nay No. 188 in Supplement.]

Therefore the further amendment was rejected.

The amendment then also was rejected.

After remarks, Ms. Peisch of Wellesley moved to amend the bill in section 1, in lines 173, 174 and 175, by striking out the sentence contained in those lines; and the amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays at the request of Ms. Peisch of Wellesley; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—yea and nay No. 189.

[See Yea and Nay No. 189 in Supplement.]

Therefore the bill (Senate, No. 2105, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3889, amended).

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at a quarter before three o'clock P.M., on motion of Mr. Peterson of Grafton (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, January 26, 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.

Messages from the Governor.

A message from His Excellency the Governor submitting the annual budget of the Commonwealth for the fiscal year beginning July first, two thousand twelve (House, No. 2), was filed in the office of the Clerk on Wednesday, January 25, 2012. General Appropriation Bill.

The message was read; and it was referred, under Rule 30, with the accompanying schedules, to the committee on Ways and Means.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3898), was filed in the office of the Clerk on Wednesday, January 25, 2012. Supplemental appropriation.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Representatives Hill of Ipswich and Ferrante of Gloucester) commending the Cape Ann Chamber of Commerce on ninety years of dedicated service to the community; Cape Ann Chamber of Commerce.

Resolutions (filed by Mr. Fattman of Sutton) honoring the Sutton High School "Sammies" boys varsity soccer team on winning the 2011 Massachusetts Division III State Championship; Sutton,— soccer team.

Resolutions (filed by Mr. Kocot of Northampton) commending Mary Clare Higgins for her dedication to the city of Northampton; and Mary Clare Higgins.

Resolutions (filed by Mr. Miceli of Wilmington) congratulating John "Jay" Kelley, Jr., of Tewksbury on the occasion of his retirement; John "Jay" Kelley, 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

Division of Insurance,—
plan changes.

From the Commissioner of the Division of Insurance relative to the appropriate length of time for carriers to report plan changes to said division [Copies forwarded, as provided in Section 65 of Chapter 288 of the Acts of 2010, to the committee on Ways and Means and the joint committee on Health Care Financing]; and

UMass Building Authority.

From the University of Massachusetts Building Authority submitting financial statements for the fiscal year ending June 30, 2011 with independent auditors' report;
Severally were placed on file.

Annual Reports.

Annual reports

Workers' compensation system.

Of the Workers' Compensation Advisory Council (under Section 17 of Chapter 23E of the General Laws, as most recently amended by Chapter 3 of the Acts of 2011) regarding the state of the workers' compensation system; and

Norfolk County District Attorney,—
wire tapping warrants.

Of the District Attorney of Norfolk County (under Section 99, Subsection R of Chapter 272 of the General Laws) relative to warrants sought for wire and oral communications;
Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Quincy,—
precincts.

By Mr. Mariano of Quincy, a petition (accompanied by bill, House, No. 3899) of Ronald Mariano, John F. Keenan and Tackey Chan (with the approval of the mayor and city council) for legislation to create an additional voting precinct in the city of Quincy. To the committee on Election Laws.

Southbridge,—
charter.

By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3900) of Peter J. Durant and Richard T. Moore (by vote of the town) relative to amending the charter of the town of Southbridge. To the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Homeowners,—
electrical work.

Mr. Durant of Spencer presented a petition (subject to Joint Rule 12) of Peter J. Durant and others relative to the performance of electrical work by single family homeowners; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Dennis and Yarmouth,—

By Mr. Atsalis of Barnstable, a petition (subject to Joint Rule 12) of Demetrius J. Atsalis for legislation to designate a certain bridge con-

necting the towns of Dennis and Yarmouth as the United States Marine
Corporal Nicholas G. Xiarhos Bridge. Xiarhos
Bridge.

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of
Louis L. Kafka and others for the issuance of an annual proclamation
by the Governor establishing the third week in October as Male Breast
Cancer Awareness Week. Male Breast
Cancer Week.

By Mr. Straus of Mattapoisett, a petition (subject to Joint Rule 12)
of William M. Straus and others for legislation to validate the proceed-
ings of the Old Colony Regional Vocational Technical High School
District relative to the authorization of debt by said district. Old Colony
High School,—
debt.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

The following notice was received from the Clerk of the Senate,
to wit:—

January 25, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that with the election and swearing-
in of Senator William N. Brownsberger the Senate President, after a vote
of the Democratic Caucus – has made the following appointments:

Senator John Hart – Assistant Majority Leader. Member, Senate
Committee on Ethics and Rules. Member, Senate Committee on Steer-
ing and Policy. Changes in
Senate
Democratic
leadership
positions and
committees.

Senator Harriette Chandler – Majority Whip.

Senator Karen Spilka – Assistant Majority Whip.

Senator Gale Candaras – Chair, Joint Committee on Economic
Development and Emerging Technologies. Member, Joint Committee
on Transportation (replacing Senator Spilka), Member – Senate Com-
mittee on Global Warming (replacing Senator Spilka).

Senator Katherine Clark – Chair, Joint Committee on Revenue.

Senator William Brownsberger – Chair, Joint Committee on Public
Service. Member, Joint Committee on Environment (replacing Senator
Creem), Member, Joint Committee on Municipalities (replacing Sena-
tor Candaras).

Senator James Timilty – Member, Senate Committee on Ways and
Means (replacing Senator Spilka).

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 following petitions:

Criminal proceeding,— witness intimidation.

Petition (accompanied by bill) of John J. Mahoney, John P. Fresolo and Joseph D. Early, Jr., relative to the intimidation of witnesses, jurors and persons furnishing information in connection with criminal proceedings. To the committee on the Judiciary.

Stephen Gladding,— sick leave bank.

Petition (accompanied by bill) of Nicholas A. Boldyga and Michael R. Knapik for legislation to establish a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation. To the committee on Public Service.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Workers' compensation,— audits.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill to provide incentives for productive workers compensation audits (House, No. 532).

Municipal lighting plants.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, No. 869, a Bill relative to the establishment of municipal lighting authorities (House, No. 3896) [Representative Chan of Quincy dissenting].

Energy efficiency.

By the same member, for the same committee, on House, No. 879, a Bill further promoting energy efficiency and green jobs (House, No. 3897) [Representatives Chan of Quincy and Hunt of Sandwich dissenting].

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

Chelmsford,— precincts.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill amending the charter of the town of Chelmsford relative to the number of voting precincts (House, No. 3716) [Local Approval Received].

Chelmsford,— recall.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Chelmsford relative to the recall of elected officers (House, No. 3728) [Local Approval Received].

Worker training,— discrimination.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to non-discrimination training in the workplace (House, No. 1413).

Springfield,— excise taxes.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (House, No. 3490) [Local Approval Received].

Aquinnah,— taxation.

By the same member, for the same committee, on a petition, a Bill relative to authorizing the town of Aquinnah to refund tax payments and accrued interest from improperly assessed taxation in prior fiscal years 2005 and 2006 (House, No. 3708) [Local Approval Received].

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

Engrossed Bill.

Bill enacted.

The engrossed exempting the position of fire chief in the city of Haverhill from the civil service law (see House, No. 3486) (which originated in the House), 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.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Smizik of Brookline (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair. Recess.

Reports of Committees.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 3867, a Bill authorizing the town of Wellesley to grant licenses for the sale of all alcoholic beverages and wines and malt beverages to be consumed on the premises (House, No. 3901) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Wellesley,—
alcoholic
beverages.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

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 four minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (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.

Monday, January 30, 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.

Message from the Governor.

Hingham,—
voting
precinct.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to establishing a voting precinct in the town of Hingham (House, No. 3907), was filed in the office of the Clerk on Friday, January 27, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Election Laws. Sent to the Senate for concurrence.

Communication.

CEDAC,—
2010
report.

A communication from the Community Economic Development Assistance Corporation (Section 6 of Chapter 498 of the Acts of 1978) submitting a complete and detailed report of the activities of the corporation for the fiscal year 2010.

Annual Report.

Retirees,—
cost-of-living
adjustment.

The annual report of the Public Employee Retirement Administration Commission (under sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the per centum change in the average cost-of-living as shown by the United States consumer price index for the year 2011 (House, No. 3895), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Special Reports.

Reports

Registers of
Deeds,—
technology
fund.

Of the Secretary of the Commonwealth (under the provisions of Section 2JJJ of Chapter 29 of the General Laws) submitting the Registers Technology Fund Spending Plan for the registers of deeds in the Commonwealth [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight as required by statute];

Brownfields
Redevelopment
Fund.

Of the Massachusetts Development Finance Agency (under the provisions of Section 29A of Chapter 23G of the General Laws) relative to the Brownfields Redevelopment Fund for the period ending March 15, 2011 [copies of said report forwarded to the Speaker of the House and the chairman of the committee on Ways and Means as required by statute]; and

Of the Executive Office of Labor and Workforce Development (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for December, 2011; Unemployment Trust Fund.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda for legislation to clarify the fee charged to senior citizens for a combined sporting, hunting and fishing license. Seniors,— hunting, etc. licenses.

By Mr. Mariano of Quincy, a petition (subject to Joint Rule 12) of Ronald Mariano and Mark J. Cusack relative to the utilization of surplus funds from municipal enterprise accounts. Municipal enterprise accounts.

By Mr. McMurtry of Dedham, a petition (subject to Joint Rule 12) of Paul McMurtry relative to the filing of town committee papers with the Secretary of the Commonwealth. Town committees,— filings.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill establishing a sick leave bank for Michael Monterio, an employee of the Department of Correction (Senate, No. 1962) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Michael Monterio,— sick leave bank.

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

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

A petition (accompanied by bill Senate, No. 2114) of Therese Murray, David T. Vieira, Susan Williams Gifford and Randy Hunt (by vote of the town) for legislation to amend the charter of the town of Bourne, was referred, in concurrence, to the committee on Municipalities and Regional Government. Bourne,— town charter.

The following notice was received from the Clerk of the Senate, to wit:—

January 26, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356 State House
Boston, MA. 02133

Dear Mr. Speaker:

I have the honor to inform you that the Senate President has made the following appointments:

Senator Jennifer Flanagan (pursuant to Section 68 of Chapter 194 of the Acts of 2011) to the Gaming Advisory Committee; Gaming advisors.

Retiree
healthcare.

Senator John A. Hart, Jr. to the Special Commission established (pursuant to Section 58 of Chapter 176 of the Acts of 2011) to make an investigation and study of retiree healthcare and other non-pension benefits; and

Pension
classifications
system.

Senators Steven A. Baddour and Harriette L. Chandler to the Special Commission established (pursuant to Section 56 of Chapter 176 of the Acts of 2011) to make an investigation and study of the Massachusetts public employees' pension classification system.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Old Colony
Regional
Vocational
Technical
High School
District,—
debt
authorization.

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 William M. Straus and others for legislation to validate the proceedings of the Old Colony Regional Vocational Technical High School District relative to the authorization of debt by said district. Under suspension of the rules, on motion of Mr. Murphy of Burlington, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Aquatic
nuisances,—
protection.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 1904), 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 3908.

Supplemental
budget.

By the same member, for the same committee, that the Senate Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2112), 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 3906 [Total Appropriation: \$129,866,994.00].

Landfills,—
renewable
energy.

By the same member, for the same committee, that the Senate Bill relative to renewable energy generation on closed landfills (Senate, No. 2074), 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 3912.

Hopkinton,—
easement.

By the same member, for the same committee, that the Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (House, No. 3668), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3909).

Banks,—
multi-state
licensing.

By the same member, for the same committee, that the Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3727), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3911).

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following Senate bills ought to pass:

Providing access to forensic and scientific analysis (Senate, No. 1987, amended); and

Forensic analysis.

Adopting the Revised Uniform Anatomical Gift Act (Senate, No. 2067);

Uniform Gift Act.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill creating a regional school district planning committee (House, No. 1918, changed in line 1 by striking out the figures "2004" and inserting in place thereof the figures "2010", in line 2 by inserting after the word "striking" the word "out", and in line 3 by inserting after the word "selectmen" the following: "and a majority vote of the school committee". Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

School district planning committee.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Pamela Shuttle, an employee of the Department of Public Health (see House, No. 3823), 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.

Pamela Shuttle,—sick leave bank.

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

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.

Bill enacted.

Orders of the Day.

The House Bill authorizing the town of Wellesley to place a certain question relative to the sale of wines and malt beverages on the town election ballot (House, No. 3901) (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.

Third reading bill.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at five minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing the town of Wellesley to place a certain question relative to the sale of wines and malt beverages on the town election ballot (see House, No. 3901) (which originated in the House), 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.

Order.

Next
sitting.

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.

Mr. Scaccia of Boston then moved that as a mark of respect to the memory of Kevin H. White, Secretary of the Commonwealth from 1961 to 1967, inclusive, and Mayor of the city of Boston from 1968 to 1984, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at seven minutes after one o'clock P.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, February 2, 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.

Resolutions.

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

Resolutions (filed by Mr. Jones of North Reading) recognizing former Special Police Officer Harold "Bert" Reynolds for over twenty years of dedicated service to the town of North Reading; Harold "Bert" Reynolds.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) congratulating Arthur Fishstine on receiving the Legion of Honour Medal; Arthur Fishstine.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Richard McGhee on his retirement as Chairman of The World of Wellesley for the town of Wellesley; and Richard McGhee.

Resolutions (filed by Representatives Ross of Attleboro and Poirier of North Attleborough) congratulating Walter Boyd Stitt III on his retirement after thirty-five years; Walter Boyd Stitt III.

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

Communication.

Communications

From the Bristol County Registry of Deeds (pursuant to Section 2K44 of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund (including a letter from the Executive Office for Administration and Finance dated January 19, 2012) [copies of said report and said letter forwarded to the committee on Ways and Means and committee on Post Audit and Oversight]; Bristol County,—
technology fund.

From the Office of Community Corrections with the Administrative Office of the Trial Court (under the provisions of Section 5 of Chapter 211F of the General Laws) submitting its annual statistical report for fiscal year 2010 [copies of said report forwarded to the committee on the Judiciary and the committee on Public Safety and Homeland Security]; and Community Corrections.

From the Department of Public Health submitting formal notification of an increase in fees (pursuant to 801 CMR 4.02, Food and Drug (9) vending machines) for vending machines in the Commonwealth; Vending machines,—
fees.

Severally were placed on file.

Annual Report.

Public
Counsel
Services.

The annual report of the Committee of Public Counsel Services (under item 0321-1500 of Section 2 of Chapter 68 of the Acts of 2011) relative to its activities during the fiscal year 2011, was placed on file.

Petitions.

Truro,—
conservation
restriction.

Ms. Peake of Provincetown presented a petition (accompanied by bill, House, No. 3919) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) that the town of Truro be authorized to amend a conservation restriction in said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Property
taxes,—
classification.

By Mr. Boldyga of Southwick (by request), a petition (subject to Joint Rule 12) of Rose Taylor for legislation to establish a property tax classification for which membership in a condominium association is a mandatory condition of ownership.

Tax
assessments,—
errors.

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka for legislation to authorize the Commissioner of Revenue to correct any property tax assessment errors regardless of the effect on taxes or charges.

Record
preservation
commission.

By Representative Keenan of Salem and Senator Eldridge, a joint petition (subject to Joint Rule 12) of John D. Keenan for legislation to establish a municipal record preservation commission.

Cheryl A.
Cole,—
sick leave.

By Mr. Smith of Everett, a petition (subject to Joint Rule 12) of Stephen Stat Smith for legislation to establish a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Frank
Silveira,—
sick leave
bank.

A Bill establishing a sick leave bank for Frank Silveira, an employee of the Department of Revenue (Senate, No. 2117) (on Senate bill No. 2000), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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.

Abuse,—
reporting
requirements.

A Bill relative to reporting abuse of disabled persons (Senate, No. 2116) (on Senate bill No. 39), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Sharyn
LeCesse,—
sick leave.

Petition (accompanied by bill, Senate, No. 2123) of Anthony W. Petrucci for legislation to establish a sick leave bank for Sharyn

LeCesse, an employee of the Registry of Motor Vehicles. To the committee on Public Service.

Petition (accompanied by bill, Senate, No. 2124) of Richard T. Moore, Kenneth J. Donnelly, Kimberly N. Ferguson, James J. Dwyer and other members of the General Court for legislation relative to reduction of property tax liability for veterans. To the committee on Revenue.

Veterans,—
property
tax.

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 following petitions:

Petition (accompanied by bill) of Daniel B. Winslow and others for legislation to require judicial consideration of lawful alien status for bail. To the committee on the Judiciary.

Lawful
aliens,—
bail.

Petition (accompanied by bill) of Ronald Mariano and Mark J. Cusack relative to the utilization of surplus funds from municipal enterprise accounts. To the committee on Municipalities and Regional Government.

Municipal
enterprise
accounts.

Petition (accompanied by bill) of Wendy Foxmyn for legislation to authorize the Franklin Regional Retirement System to grant retirement benefits to Wendy Foxmyn. To the committee on Public Service.

Wendy
Foxmyn,—
retirement.

Petition (accompanied by bill) of Daniel B. Winslow relative to the incorporation of technology in civil engagement at public meetings; and

Public
meetings.

Petition (accompanied by bill) of Daniel B. Winslow relative to public disclosure of financial interests by certain government employees;

Government
employees,—
disclosures.

Severally to the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Mahoney of Worcester, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2112), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means, pending.

Supplemental
appropriations.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3906,— was adopted; and the bill (Senate, No. 2112, amended) was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. Sent to the Senate for concurrence in the amendment adopted by the House.

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:

Chelmsford,—
precincts.

Amending the charter of the town of Chelmsford relative to the number of precincts (House, No. 3716) [Local Approval Received]; and

Chelmsford,—
recall
elections.

Amending the charter of the town of Chelmsford relative to the recall of elected officers (House, No. 3728) [Local Approval Received];

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.

Catherine
Blais,—
sick leave
bank.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Catherine Blais, an employee of the Trial Court (House, No. 3894). 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 matter be scheduled for consideration by the House.

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

Dental
benefits
corporations.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 409 and House, No. 323, a Bill relative to financial services contracts for dental benefits corporations (House, No. 3916).

Ambulance
services.

By the same member, for the same committee, on House, No. 1179, a Bill relative to payment for use of ambulance services (House, No. 3917).

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

Raymond L.
Flynn,—
memorial.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to a memorial to Vatican Ambassador, former Mayor, former State Representative and former Boston City Councilor Raymond L. Flynn (House, No. 3029), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Pipefitters,—
licensing.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to pipe-fitter licensing and inspections (House, No. 1873).

Tax basis
rules.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2559, a Bill to continue tax basis rules for property acquired from decedents (House, No. 3915).

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

Westwood,—
alcoholic
beverages.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715) [Local Approval Received].

Harvard,—
alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Fitchburg to grant an additional license for the sales of wines and malt beverages not to be drunk on premises (House, No. 3738) [Local Approval Received].

Fitchburg,—
alcoholic
beverages.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to regional school district leases (House, No. 1912, changed in line 1 by striking out the following: “, subsection (r)” and by striking out the year “2008” and inserting in place thereof the year “2010”; in line 2 by striking out the word “replacing” and inserting in place thereof the following: “striking out, in line 149,”; and by striking out the following “in line 144 with the word” and inserting in place thereof the following: “and inserting in place thereof the following word:—”).

Regional
school
district
leases.

By the same member, for the same committee, on House, No. 1919, a Bill relative to the powers and duties of a regional school district (House, No. 3918).

Regional
schools.

By the same member, for the same committee, on House, No. 1929, a Bill relative to school improvement plans (House, No. 3923).

School
plans.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to limited purpose trust companies subject to supervision by the Division of Banks (House, No. 2040).

Limited
purpose
trust
companies.

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

Engrossed Bills.

Engrossed bills

Relative to granting of a club and special license for the sale alcoholic beverages in the town of Weston (see House, No. 3459);

Bills
enacted.

Relative to town meeting warrants in the town of Templeton (see House, No. 3460); and

Authorizing the town of Lincoln to place a certain question on the ballot relative to the sale of all alcoholic beverages to be drunk on the premises (see House, No. 3827);

(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 Senate Bill establishing a sick leave bank for Michael Monterio, an employee of the Department of Correction (Senate, No. 1962), 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.

Third
reading
bill.

The House Bill designating a certain building in the city of Holyoke as the Raymond F. Murphy Jr. Congregate House (House, No. 3575) (its title having been changed by the committee on Bills in the Third

Id.

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.

Brookline,—
transportation
department.

The House Bill amending Chapter 51 of the Acts of 2010 to reflect the passage of Chapter 398 of the Acts of 2008 and to make certain other corrections (House, No. 3432), 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, Mr. Smizik of Brookline moved to amend it by substitution of a Bill relative to the division of transportation in the town of Brookline (House, No. 3920), 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,—

Next
sitting.

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

Mr. Timilty of Milton then moved that as a mark of respect to the memory of Kelly A. Timilty, a member of the Executive Council from the Second District from 1995 to 2012, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-six minutes before twelve o'clock noon, on motion of Mr. Humason of Westfield (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.

Monday, February 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.

Semi-Annual Report.

The semi-annual report of the Insurance Fraud Bureau (pursuant to Section 1 (k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) containing a spending and management plan for said office, was placed on file. Insurance Fraud Bureau.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe and others for legislation to establish a special fund to be used for the replanting of trees in certain storm damaged areas. Tree replacement,—fund.

By the same member, a petition (subject to Joint Rule 12) of Brian M. Ashe and others for legislation to authorize municipal finance oversight boards to extend the time period for emergency appropriations. Municipalities,—emergency appropriations.

By Mr. D'Emilia of Bridgewater (by request), a petition (subject to Joint Rule 12) of Pearl Cohen for legislation to further regulate certain charitable solicitations. Charitable solicitations.

By Representative Kocot of Northampton and Senator Rosenberg, a joint petition (subject to Joint Rule 12) of Peter V. Kocot and Stanley C. Rosenberg for legislation to establish a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services. Janet Ochner,—sick leave.

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake and others relative to the appointment of alternate members on local historical commissions. Historical commissions,—members.

By Ms. Reinstein of Revere, a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein for legislation to designate a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and to designate a certain maintenance facility located in said city as the Captain Arthur "Icy" Reinstein Memorial Maintenance Facility. Revere,—facility naming.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh and others for legislation to designate the eighteenth of October as inflammatory breast cancer awareness day. Inflammatory breast cancer day.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125) (on Senate bill No. 2122), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means. Drug addiction.

Kingston,—
wind
energy.

A Bill authorizing the town of Kingston to install, finance and operate wind energy facilities (Senate, No. 1915) (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.

Mental health,—
oversight
commission.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to creating a community based flexible supports oversight commission (House, No. 1429, changed), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3929).

Insurance
company
rebates.

By the same member, for the same committee, that the Bill relating to insurance company rebates (House, No. 3776), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3930).

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

Child
suicide,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1922, a Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924).

Vocational
technical
education.

By the same member, for the same committee, on Senate, Nos. 212 and 213 and House, Nos. 173, 1078 and 1082, a Bill relative to vocational technical education (House, No. 3926).

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

MCAS
appeals.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1938, a Bill to expand access to the MCAS appeals process (House, No. 3925).

Students,—
career
plans.

By the same member, for the same committee, on Senate, No. 226 and House, Nos. 1941 and 1945, a Bill establishing six-year career plans for all Massachusetts public school students (House, No. 3931).

Graduation
requirements.

By the same member, for the same committee, on Senate, No. 258 and House, Nos. 140, 167, 1944 and 1946, a Bill relating to high school graduation requirements for students with learning disabilities (House, No. 3932).

MassHealth,—
waivers.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, No. 490 and House, No. 2086, a Bill to establish criteria for MassHealth hardship waivers (House, No. 3927) [Estimated cost: Greater than \$100,000.00].

Cleft palate
and lip,—
treatment.

By the same member, for the same committee, on House, No. 2065, reported, in part, a Bill relative to the treatment of cleft palate and cleft lip (House, No. 3928) [Estimated cost: Greater than \$100,000.00].

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

Aquatic
nuisances.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 1904), be scheduled for consideration

by the House, with the amendment previously recommended by the committee on Ways and Means,— to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3908,— pending.

By the same member, for the same committee, that the Senate Bill relative to renewable energy generation on closed landfills (Senate, No. 2074), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,— to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3912,— pending.

Landfills,—
renewable
energy.

By the same member, for the same committee, that the Senate Bill improving water safety for children in the Commonwealth (Senate, No. 2075), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,— to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3880,— pending.

Children,—
water
safety.

By the same member, for the same committee, that the Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3727), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,— to amend the bill by substitution of a bill with the same title (House, No. 3911),— pending.

Debt
collectors,—
licensing.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

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

Senate bills

Providing access to forensic and scientific analysis (Senate, No. 1987, amended); and

Forensic
science.

Adopting the revised uniform anatomical gift act (Senate, No. 2067);

Anatomical
Gifts.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Michael Monterio, an employee of the Department of Correction (see Senate, No. 1962), 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.

Michael
Monterio,—
sick leave
bank.

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 4 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

Orders of the Day.

Third
reading
bill.

The Senate Bill establishing a sick leave bank for Frank Silveira, an employee of the Department of Revenue (Senate, No. 2117), 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.

Id.

The House Bill establishing a sick leave bank for Catherine Blais, an employee of the Trial Court (House, No. 3894), 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. Sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at twelve o'clock noon.

At ten minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o'clock noon.

Wednesday, February 8, 2012.

Met according to adjournment at twelve o'clock noon, 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.

Silent Prayers.

At the request of Representatives Timilty of Milton, Mariano of Quincy, Rogers of Norwood, Galvin of Canton, Kafka of Stoughton, Honan of Boston, Murphy of Burlington, Nyman of Hanover and all the members serving in the Executive Council's Second District, the members, guests and employees stood for a moment of silent tribute in memory of Councillor Kelly A. Timilty, a member of the Executive Council from the Second District from 1995 to 2012, inclusive. Kelly A. Timilty.

At the request of Representatives Rogers of Norwood, Barrows of Mansfield, Kafka of Stoughton and Poirier of North Attleborough, the members, guests and employees stood for a moment of silent tribute in memory of U.S. Army Specialist Keith D. Benson of Norwood, who was killed on January 18, 2012, while serving as a combat medic in Afghanistan. U.S. Army Specialist Keith D. Benson.

He was the beloved son of Kathleen (Short) Benson of Norwood and David Benson of Mansfield.

Statement Concerning Representative Coakley-Rivera of Springfield.

A statement of Mr. Rushing of Boston concerning Ms. Coakley-Rivera of Springfield was spread upon the records of the House, as follows: Statement concerning Ms. Coakley-Rivera of Springfield.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Coakley-Rivera of Springfield, is unable to be present in the House Chamber for today's sitting due to illness. Her missing of roll calls today is due entirely to the reason stated.

Address of Speaker Robert A. DeLeo of Winthrop.

The noon recess having terminated (Mrs. Haddad of Somerset being in the Chair),— the address of Speaker Robert A. DeLeo of Winthrop to the Citizens of the Commonwealth was spread upon the records of the House, there being no objection, as follows: Address of Speaker Robert A. DeLeo of Winthrop.

Members of the House, welcome. I thank you for giving me this time to talk with you today.

But before we begin, on behalf of the House of Representatives, I'd like to extend my condolences to the families of two public servants we recently lost – Mayor Kevin White and Governor's Councillor Kelly Timilty.

Address of
Speaker
Robert A.
DeLeo of
Winthrop.

More than three years ago, you chose me to lead this House. I want you to know that I appreciate that honor as much now as I did then.

And, as we gather, I'd like to recognize one of our members who has returned to us recently after serving in the Army in Iraq. Representative Jerry Parisella. Welcome home.

Representative Parisella, Chairman Vallee and Chairman Naughton, who is currently serving in Afghanistan, and former Representative, now Senator Rush, are all citizen-soldiers, who have made numerous sacrifices for our nation.

This House embodies public service. Even in the toughest times, the fourth year of the worst financial downturn since the Great Depression, you have demonstrated a remarkable record of achievement and commitment to the public good.

The steps we have taken as a legislature have insulated our Commonwealth from the more dire conditions other states have experienced. In Massachusetts, there have been no lawsuits between the different branches. In Massachusetts, we have delivered our budgets on time and remained committed to fiscal stability as evidenced by our strong stabilization fund. As other states and nations have seen their credit standing falter, we have seen Standard and Poor's increase our bond rating to the highest point in the state's history, AA+.

We should all be proud of our work.

Massachusetts stands as a remarkable example of cooperation and partnership. We have worked together as a House. As a body, the House has worked with the Senate, and as a Legislature we have worked with the Governor to get things done.

Our success stands in direct contrast with the goings-on in Washington where too often progress is obstructed by political gamesmanship. And we don't want that to happen here.

Our work has won national acclaim. Look no further than last year's municipal healthcare reform, which is expected to save far more than \$100 million for cities and towns annually. When Governor Patrick signed the bill last summer, union leaders stood with municipal officials and good government advocates alike. This action will save the jobs of fire fighters, police, teachers and DPW workers in the cities and towns of our Commonwealth.

Our pension reform will save five billion dollars over the next 30 years.

Our gaming legislation will generate thousands of jobs and hundreds of thousands of dollars in annual revenue in the years ahead and help to address what is referred to as "the blue collar depression".

We have also turned our attention to restoring public trust on Beacon Hill. Our redistricting plan has won the praise of advocacy groups, public officials and the press because of unprecedented transparency and public involvement. We passed a judicial reorganization and probation reform plan that received the support of Chief Justice Roderick Ireland and other justices of the Supreme Judicial Court as well as good government advocates.

Even as we've begun our new initiatives to close the achievement gap, we remained the number 1 state in the nation as determined by the National Assessment for Educational Progress, the so-called "nation's report card" which tests students across the nation. We are widely rec-

ognized as a national leader and are at the top at promoting educational success for our students.

We are justifiably proud of our accomplishments but this is no time to rest: We must work to maintain our competitive edge.

I hear time and time again from business leaders that predictability and consistency in the tax code are what's most important. For the past two years, this House has rejected balancing the budget with new taxes and fees. Any changes to revenue policy should be approached with extreme caution and should never be done piecemeal. As such, we will release a budget from the House committee on Ways and Means that does not rely on new taxes and fees.

In the midst of our relative success in weathering the recession, I have noticed developments that drew my attention and offer opportunities for improvement.

As I meet with business leaders across the state, increasingly I am hearing about us losing the innovation battle to other states. Too often, I'm learning that our innovators and entrepreneurs are packing-up and leaving. I don't like seeing Massachusetts finish second to any other state.

I was struck with a sense of lost opportunity, when I heard comments from Mark Zuckerberg, the founder of Facebook, saying if he had it to do over again, he would have kept his innovative company in Massachusetts. Think of it. This is a company with three billion seven hundred thousand dollars in annual revenues and recently announced plans for what is sure to be a multi-billion dollar initial public offering and it could have been based in our state.

We must do everything we can to create the most competitive economic climate. To Mark Zuckerberg, and other leaders of new companies, we want you here.

And for those who are starting companies in Massachusetts, we want you to stay. In this legislative session, I will look to find opportunities to create a friendlier, better climate for the creation of new jobs.

Whether it's blue-collar jobs, life sciences, green jobs, or manufacturing, our focus has been and will remain on growing employment opportunities for our residents. Just as in 2010, when we reorganized our economic development agencies through a measure that streamlined the system and saves taxpayers millions of dollars every year, we will continue to focus on legislation that promotes economic growth, strengthens our fiscal stability and creates good jobs throughout the Commonwealth.

In this session, we will pursue policies to maintain Massachusetts' competitive edge in the innovation economy and continue to attract the investment and jobs that come with it. And we must continue to prepare our students to fill those jobs by strengthening our commitment to education in the STEM fields of science, technology, engineering, and math.

We can also generate new investment by continuing to make it easier for businesses to start, locate, and expand here. Massachusetts has successfully nurtured new economic activity by pioneering innovative approaches to development and public infrastructure improvements. We will build on that success by exploring new ideas that promote growth and improve public services. And for businesses already com-

Address of
Speaker
Robert A.
DeLeo of
Winthrop.

mitted to growing here, we will make it easier for them to recover from the recession and get their projects back on track. By facilitating new development, we can create jobs across industry sectors, across pay scales, and across the Commonwealth.

As we pay attention to start-ups and the innovation economy, we also are focused on the workforce of the future. We in the House have long believed that we can do a better job of making sure our community colleges address the needs of potential employers.

That said, we know that community colleges are important gateways for the student who is in pursuit of a four-year degree. Thanks to an innovative transfer compact, universities, such as Salem State, routinely accept credits for students who have attended community colleges. Others, such as UMass-Lowell, in turn, recruit and welcome students who receive the pre-requisites at community colleges.

I have also long recognized community colleges as an important piece of our state's ability to attract and retain employers. Community colleges can build on their existing relationships with our state university system as well as their own capacity to prepare individuals with skills to support our existing and emerging industries. With greater coordination and support these institutions can be an even more vibrant and integrated component in our overall workforce development system here in the Commonwealth.

Because of the important role community colleges play in workforce development, we designated forty-five million dollars of gaming revenue to support colleges in this work. In addition, we designated approximately twenty-million-dollar-per-year in annual revenue for higher education.

We look forward to working with the business community, educators and Administration to achieve our goals.

These funds can support and build upon the ongoing work of our colleges with employers such as General Electric, Raytheon and Partners Healthcare to prepare students for the demands of the workplace by meshing hands-on training with classroom instruction.

As I meet with small businesses across the state, I frequently hear about the high cost of health care. I remain committed to reforming our health care system. Last year, I asked Chairman Steven Walsh and members of the Committee on Health Care Financing to travel the state, visit providers in our communities, meet with health plans, and, most importantly, actively engage consumers to develop a well thought-out plan we can all be proud of.

Signs are encouraging. Already the market is responding. Health insurers are forging agreements with health care providers to cut costs.

And we can do more.

We can, I believe, reach broad agreement to significantly cut the cost growth of our health care sector while improving upon our already extremely high standards of quality-care and innovation. We will continue to monitor the market disparity between our large providers and those in your neighborhoods that are offering low-cost high-quality care and we will thoughtfully implement the most appropriate mechanisms for balancing out the system. More importantly, we will build on existing "system-transparency and disclosure-initiatives" in order to provide consumers with all of the information they will need.

Health care is extremely personal. When we are at a time of need, we want to make sure we are able to get the very best care available. That will not change under any plan offered in this House. Nevertheless, we have to find ways to reward quality and efficiency and make sure our system is sustainable for years to come.

There is no question that the past years have been challenging. But you, the members of the House, have risen to the challenge. You have helped Massachusetts outpace the nation. In the coming weeks, we will all be challenged again. Once again, I am confident, that we will meet that challenge and thrive.

God Bless the House of Representatives, the Commonwealth of Massachusetts and the United States of America. Thank you.

Resolutions.

Resolutions (filed with the Clerk by Mr. Durant of Spencer) congratulating William Hultgren on the occasion of his retirement from the Charlton Planning Board, were referred, under Rule 85, to the committee on Rules.

William Hultgren.

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

Petitions.

Representative Fernandes of Milford and Senator Moore presented a joint petition (accompanied by bill, House, No. 3937) of John V. Fernandes and Richard T. Moore (by vote of the town) relative to authorizing the town of Hopedale to allow direct deposit of receipts into certain funds; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Hopedale,—
direct
deposits.

Petitions severally were presented and referred as follows:

By Representative O'Day of West Boylston and Senator Chandler, a joint petition (subject to Joint Rule 12) of James J. O'Day and others for legislation to extend certain benefits for public employees serving on active duty in the armed forces.

Public employees,—
active duty.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh and others for legislation to designate the second week of May as Williams Syndrome Awareness Week.

Williams Syndrome Awareness Week.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill to promote environmentally sound transportation of agricultural products (Senate, No. 2118) (on Senate bill No. 2077), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Agricultural products,—
transportation.

A petition of Mark C. Montigny and Antonio F. D. Cabral for legislation to establish a sick leave bank for Carl Senna, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Carl Senna,—
sick leave
bank.

Carl Senna,—
sick leave
bank.

The House then concurred with the Senate in the suspension of Joint Rule 12; and the petition (accompanied by bill, Senate, No. 2131) was referred, in concurrence, to the committee on Public Service.

Bourne
Water
District.

A petition of Therese Murray, David Vieira, Susan Williams Gifford and Randy Hunt for legislation to authorize a lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes, came from the Senate referred, under suspension of Joint Rules 12 and 9, to the committee on State Administration and Regulatory Oversight.

The House then concurred with the Senate in the suspension of said rules; and the petition (accompanied by bill, Senate, No. 2130) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Dighton
Water
District.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rules 12 and 9 be suspended on the petition of Patricia A. Haddad and Marc R. Pacheco (by vote of the town) relative to the Dighton Water District in the town of Dighton. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

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 following petitions;

Solar
energy,—
zoning.

Petition (accompanied by bill) of Susan Williams Gifford and others for legislation to include the installation of solar energy systems or the building of structures to facilitate the collection of solar energy under local zoning ordinances or by-laws. To the committee on Municipalities and Regional Government.

Kristen
Robinson,—
sick leave.

Petition (accompanied by bill) of John V. Fernandes and Richard T. Moore for legislation to establish a sick leave bank for Kristen Robinson, an employee of the Department of Correction. To the committee on Public Service.

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Condo-
miniums,—
study.

By Mr. Honan of Boston, for the committee on Housing, on House, No. 372, a Bill relative to a special commission to study condominium law (House, No. 3933). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Holyoke,—
land.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill to convey a certain parcel of land in Holyoke to Holyoke Community College (House, No. 3849).

By the same member, for the same committee, on a joint petition, a Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (House, No. 3860). Shirley,—land.

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

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to record keeping for condominiums (House, No. 1547). Condominiums,—record keeping.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to the exchange of certain land in the town of Truro (House, No. 3312) [Local Approval Received]. Truro,—land.

By the same member, for the same committee, on a message from His Honor the Lieutenant-Governor, Acting Governor, a Bill validating the actions taken at a certain town meeting in the town of Abington (printed in House, No. 3843). Abington,—town meeting.

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

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill to designate an additional voting precinct in the city of Quincy (House, No. 3899) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Quincy,—precinct.

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 Mr. Mariano of Quincy, the bill was read a second time and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: An Act designating an additional voting precinct in the city of Quincy. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill establishing a voting precinct in the town of Hingham (printed in House, No. 3907). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hingham,—precinct.

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 and forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Bradley of Hingham, the bill (having been 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. Sent to the Senate for concurrence.

Emergency Measures.

Supplemental appropriations.

The engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain appropriations and for certain other activities and projects (see Senate, No. 2112, 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 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Frank Silveira,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Frank Silveira, an employee of the Department of Revenue (see Senate, No. 2117), 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.

Orders of the Day.

Second reading bill amended.

The Senate Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 1904), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3908,— was adopted.

The bill, as amended, then was ordered to a third reading.

Id.

The Senate Bill improving water safety for children in the Commonwealth (Senate, No. 2075), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3880,— was adopted.

The bill, as amended, then was ordered to a third reading.

Id.

The House Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3727), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3911),— was adopted.

The substituted bill then was ordered to a third reading.

Recess.

At half past twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M., and at six minutes after one o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair. Recess.

Engrossed Bill.

Mr. Bradley of Hingham being in the Chair,—

The engrossed Bill establishing a voting precinct in the town of Hingham (see House bill printed in House, No. 3907) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate. Hingham,—
precinct.

Engrossed Bill — Land Taking.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the town of Norton to grant easements and restrictions over certain town-owned land (see House, No. 3431) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage. Norton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative. Bill passed to
be engrossed,—
yea and nay
No. 190.

[See Yea and Nay No. 190 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill relative to oversight of private occupational schools (House, No. 3512), was read a second time. Private
occupational
schools,—
oversight.

Pending the question on the adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3625),— Mr. Peterson of Grafton moved that the proposed substitute bill be amended in section 5 by striking out the paragraph contained in lines 285 to 291, inclusive, and inserting, in place thereof, the following paragraph:

“(r) There shall be, within the division, an advisory council on private occupational schools which shall consist of 12 members as

Private
occupational
schools,—
oversight.

follows: the state auditor, ex officio, or his designee; the secretary of education, ex officio, or his designee; the secretary of labor and workforce development, ex officio, or his designee; the undersecretary of the office of consumer affairs and business regulation, ex officio, of his designee; and 8 members to be appointed by the director of the division, 1 of whom shall be the president of the Massachusetts association of private career schools, ex officio, or his designee, and 7 of whom shall have knowledge and understanding of the fiscal, educational, workforce development, and consumer protection issues relating to post-secondary education.”

The further amendment was adopted.

Mr. Sannicandro of Ashland then moved that the proposed substitute bill be amended in section 5, in line 35, by inserting after the word “schools” the following: “; provided, that the division shall adopt a procedure for managing appeals of decisions relative to curriculum, instructors and staff”; in line 97, by inserting after the word “writing.” the following sentence: “The applicant may file an appeal to the undersecretary of the office of consumer affairs and business regulation within 10 business days.”; in line 282, by striking out the words “so accredited if it is not” and inserting in place thereof the words “an accredited school unless it is accredited by a national or regional accrediting agency recognized by the federal Department of Education.”; and by striking out section 9 and inserting in place thereof the following two sections:

“SECTION 9. Notwithstanding any general or special law to the contrary, the comptroller shall transfer into account 7006-0151 any and all amounts paid into the general fund pursuant to sections 1 to 11 of chapter 75C, sections 1 to 14 of chapter 75D and sections 20A to 21G of chapter 93 of the General Laws after July 1, 2011, up to an amount such that the total amount deposited to said account during fiscal year 2012 shall be \$196,000.

SECTION 10. Chapter 68 of the acts of 2011 is hereby amended, in section 2, in item 7006-0151 by striking the figure ‘\$540,123’ and inserting in place thereof the figure:— \$196,000.”. The further amendments were adopted.

The amendment previously recommended by Ways and Means, as amended, also was adopted; and the substituted bill (House, No. 3625, amended) was ordered to a third reading.

Anatomical
gift act.

The Senate Bill adopting the revised uniform anatomical gift act (Senate, No. 2067), was read a second time; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: “An Act relative to the revised uniform anatomical gift act.”

Bill passed to
be engrossed,—
yea and nay
No. 191.

After remarks on the question on passing the bill to be engrossed, in concurrence, the sense of the House taken by yeas and nays, at the request of Mr. Sánchez; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 191 in Supplement.]

Therefore the bill (Senate, No. 2067) was passed to be engrossed, in concurrence.

The Senate Bill providing access to forensic and scientific analysis (Senate, No. 1987, amended), was read a second time; and it was ordered to a third reading.

Forensic and scientific analysis.

Subsequently under suspension of the rules, on motion of Mr. O’Flaherty of Chelsea, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, in concurrence, Messrs. Jones of North Reading and Peterson of Grafton moved to amend it by adding the following four sections:

“SECTION 19. Chapter 22E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out section 3 and inserting in place thereof the following section:—

Section 3. Any person who is arrested by virtue of process, or is taken into custody by an officer and charged with the commission of a felony, and who upon arrest has been arraigned pursuant to the applicable court rules under the Massachusetts Rules of Criminal Procedure, shall submit a DNA sample to the department. The sample shall be collected by a person authorized under section 4 of this chapter subsequent to arraignment, in accordance with regulations or procedures established by the director. The results of such sample shall be made part of the state DNA database.

SECTION 20. Section 12 of said chapter 22E, as so appearing, is hereby amended by striking out, in line 6, the figure ‘\$1,000’ and inserting in its place thereof the following figure:— \$2,000; and by striking out, in line 7, the words ‘six months’ and inserting in place thereof the following words:— 1 year.

SECTION 21. Section 13 of said chapter 22E, as so appearing, is hereby amended by striking out, in line 4, the figure ‘\$1,000’ and inserting in its place thereof the following figure:— \$2,000; and by striking out, in line 5, the words ‘six months’ and inserting in place thereof the following words:— 1 year.

SECTION 22. Section 15 of said chapter 22E, as so appearing, is hereby amended by inserting after the word ‘expunged’, in line 3, the following: if the original offense upon which the collection of DNA is based does not result in a conviction; or.”

After debate on the question on adoption of the amendment, the sense of the House taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 34 members voted in the affirmative and 121 in the negative.

Amendment rejected,—yea and nay No. 192.

[See Yea and Nay No. 192 in Supplement.]

Therefore the amendment was rejected.

On the question on passing the bill to be engrossed, in concurrence, the sense of the House taken by yeas and nays, at the request of Mr. Fernandes of Milford; and on the roll call (Ms. Reinstein of Revere being in the Chair) 155 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—yea and nay No. 193.

[See Yea and Nay No. 193 in Supplement.]

Therefore the bill (Senate, No. 1987, amended) was passed to be engrossed, in concurrence.

The Senate Bill relative to renewable energy generation on closed landfills (Senate, No. 2074), was read a second time.

Closed landfills,—renewable energy.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after

Closed
landfills,—
renewable
energy.

the enacting clause and inserting in place thereof the text contained in House document numbered 3912,— was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Keenan of Salem, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Winslow of Norfolk moved to amend it in section 4, in line 14, by inserting after the word “use” the following: “; provided, however, that no such deed restriction may be amended for any closed landfill located within 500 feet of a residential dwelling.” The amendment was rejected.

Bill passed to
be engrossed,—
yea and nay
No. 194.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House taken by yeas and nays, at the request of Mr. Keenan of Salem; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 194 in Supplement.]

Therefore the bill (Senate, No. 2074, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At sixteen minutes before four o'clock P.M., on motion of Mr. Peterson of Grafton (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Thursday, February 9, 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.

Resolutions.

Resolutions (filed with the Clerk by Mr. Levy of Marlborough) congratulating James Holt on being named Marlborough's Veteran of the Year, were referred, under Rule 85, to the committee on Rules. James Holt.

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

Papers from the Senate.

The engrossed Bill authorizing the town of Lincoln to place a certain question on the ballot relative to the granting of a single license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3532), came from the Senate with the endorsement that it had been amended in section 1, in lines 7 to 10, inclusive, striking out the text contained therein and inserting in place thereof the following two paragraphs: Lincoln,—
liquor
license.

“Below the ballot question shall appear a fair and concise summary of the ballot question prepared by town counsel and approved by the board of selectmen.

If the question is to appear on the state election ballot, notice shall be given to the state secretary 60 days before the date of that election.”

Under suspension of Rule 35, on motion of Mr. Conroy of Wayland, 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.

Bills

Authorizing the board of selectmen of the town of Middleborough to impose reasonable fees for the employment of outside consultants in connection with the review of earth removal applications (Senate, No. 1949) (on a petition) [Local Approval Received]; Middleborough,—
consultants.

Relative to the town clerk in the town of Tewksbury (Senate, No. 2104) (on a petition) [Local Approval Received]; and Tewksbury,—
town clerk.

Establishing a sick leave bank for Sharyn LeCesse, an employee of the Registry of Motor Vehicles (Senate, No. 2129) (on Senate bill No. 2123); Sharyn
LeCesse,—
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.

Steam
boilers.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill increasing the experience and background necessary to operate low pressure processed steam boilers (House, No. 3568),— and recommending that the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Correction
Commission.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Resolve establishing the Massachusetts Correction Commission (House, No. 1559, changed), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Lawrence,—
health
insurance.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to health insurance benefits in the city of Lawrence (House, No. 3857) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Thomas
Famulari,—
retirement.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill authorizing the State Retirement Board to grant creditable service to Thomas Famulari (House, No. 1669).

Janet
Picheny,—
retirement.

By the same member, for the same committee, on a petition, a Bill allowing Mrs. Janet Picheny to purchase creditable service with the Massachusetts teachers retirement system (House, No. 2472).

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

Hanover,—
revolving
fund.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill permitting the town of Hanover to establish a parks and recreation revolving fund (House, No. 3502) [Local Approval Received].

Westwood,—
charter.

By the same member, for the same committee, on a petition, a Bill providing for a charter for the town of Westwood (House, No. 3763) [Local Approval Received].

Westborough,—
charter.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Westborough (House, No. 3800) [Local Approval Received].

Richmond,—
conservation
commission.

By the same member, for the same committee, on a joint petition, a Bill relative to the membership of the conservation commission of the town of Richmond (House, No. 3824) [Local Approval Received].

Scituate,—
police chief.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill authorizing the town of Scituate to continue the employment of chief of police Brian E. Stewart (House, No. 3834) [Local Approval Received].

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1817, 2651, 3069 and 3085, a Bill requiring the hands-free use of mobile telephones while driving (House, No. 3938). Driving,—
mobile
telephones.

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

Orders of the Day.

The Senate Bill authorizing the sale of land by the Wakefield housing authority (Senate, No. 1986), 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. Third
reading
bill.

The House Bill relative to private occupational schools (House, No. 3625, 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. Sent to the Senate for concurrence. Id.

Recess.

At five minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until two o'clock P.M., and at six minutes after two o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Paper from the Senate.

The engrossed Bill designating an additional voting precinct in the city of Quincy (see House, No. 3899), came from the Senate with the endorsement that it had been amended in line 12, striking out the following: "and shall be known as 95 Martensen street, ward 2 precinct 3"; and adding the following section: Quincy,—
voting
precinct.

"SECTION 3. This act shall take effect upon its passage."

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.

Emergency Measure.

The engrossed Bill relative to a Uniformed Anatomical Gift Act (see Senate, No. 2067), 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. Anatomical
Gift Act.

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 3 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills
Authorizing the sale of land by the Wakefield housing authority (see Senate, No. 1986); Bills
enacted.

Bills
enacted.

Providing access to forensic and scientific analysis (see Senate, No. 1987, amended);

(Which severally originated in the Senate); and

Authorizing the town of Lincoln to place a certain question on the ballot relative to the granting of a license for the sale of wine and malt beverages not to be drunk on the premises (see House, No. 3532, amended) (which 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.

Bill
enacted.

Mr. Kafka of Stoughton being in the Chair,— the engrossed Bill designating an additional voting precinct in the city of Quincy (see House, No. 3899) (which originated in the House), 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.

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 three minutes before three o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, February 13, 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.

Resolutions.

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

Resolutions (filed by Ms. Gobi of Spencer) commending the citizens of the town of North Brookfield on the occasion of its bicentennial; and North Brookfield.

Resolutions (filed by Messrs. Stanley of Waltham and Kaufman of Lexington) congratulating Ronny Beaulieu on achieving the rank of Eagle Scout of the Boy Scouts of America; Ronny Beaulieu.

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 Mr. O'Day of West Boylston, 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 Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; and Dukes County Register,—
technology fund.

From the Springfield Parking Authority (pursuant to Section 15 of Chapter 674 of the Acts of 1981) submitting audit reports for the fiscal years 2010 and 2011; Springfield Parking Authority.

Severally were placed on file.

Annual and Special Reports.

Annual report of the Massachusetts Bay Transportation Authority (under Section 5(h) of Chapter 161A of the General Laws) relative to its operations for the year 2011; MBTA,—
annual report.

Special implementation progress report of the task force created (under Section 134 of Chapter 131 of the Acts of 2010) to conduct an assessment and develop a plan relative to separate and secure waiting areas in district and superior courthouses for victims and witnesses of crimes [copies of said report were forwarded to the committee on Ways and Means and the joint committee on the Judiciary, as required by said Act]; Courthouses,—
secure waiting areas.

Special reports

Alcohol
Center,—
inspection.

Of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Massachusetts Alcohol and Substance Abuse Center in the town of Bridgewater;

Old Colony,—
inspection.

Of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Old Colony Correctional Center Kitchen Core Services in the town of Bridgewater; and

Equine
encephalitis,—
report.

Of the Department of Public Health (under section 96 of Chapter 142 of the Acts of 2011) relative to deaths caused by the mosquito-borne eastern equine encephalitis virus [copies of said report were forwarded to the joint committees on Public Health and Environment, Natural Resources and Agriculture, as required by said Act];

Severally were placed on file.

Reports of Committees.

Government,—
finances.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the Senate Bill to improve the administration of state government and finance (Senate, No. 1940) and the recommended House text (see House document numbered 3944) (for order, see House, No. 3945). The order was considered forthwith; and it was adopted.

Public
employees,—
active duty
benefits.

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 joint petition of James J. O'Day and others for legislation to extend certain benefits for public employees serving on active duty in the armed forces. Under suspension of the rules, on motion of Mr. O'Day of Worcester, 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.

James
Crosby,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for James Crosby, an employee of the Department of Veterans' Services (House, No. 3862). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Sharon
LeCesse,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick leave bank for Sharon LeCesse, an employee of the Registry of Motor Vehicles (Senate, No. 2129), 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 Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the Middlesex Canal Commission (House, No. 244). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Middlesex Canal Commission.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the leasing of publicly owned land for agricultural purposes (House, No. 263). Land,—leasing.

By the same member, for the same committee, on a petition, a Bill exempting towns from certain fees (House, No. 269). Towns,—fees.

By the same member, for the same committee, on House, Nos. 1141 and 1158, a Bill to protect farm viability (House, No. 1141). Farms,—viability.

By the same member, for the same committee, on a petition, a Bill relative to groundwater recharge (House, No. 1144). Groundwater recharge.

By the same member, for the same committee, on a petition, a Bill relative to the distribution of raw milk (House, No. 1995). Raw milk,—distribution.

By the same member, for the same committee, on a petition, a Bill to amend section 142O of chapter 111 to phase-out stage II vapor recovery systems (House, No. 2019). Vapor recovery systems.

By the same member, for the same committee, on House, Nos. 237, 239, 1153 and 1993, a Bill establishing a snowmobile educational safety program (House, No. 3941). Snowmobiles,—education.

By the same member, for the same committee, on House, No. 1139, a Bill amending the conservation restrictions and agricultural preservation statutes (House, No. 3943). Conservation restrictions.

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

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 1135, 1999 and 2000, a Bill relative to the use of crossbows in hunting (House, No. 3942). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hunting,—crossbows.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to continue tax basis rules for property acquired from decedents (House, No. 3915) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Tax basis rules.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to convey a certain parcel of land in Holyoke to Holyoke Community College (House, No. 3849) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Holyoke,—land.

Mr. Kafka of Stoughton, for said committee, then reported, that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to creating a community based flexible supports oversight commission (House, No. 1429, changed), Mental health,—oversight commission.

Mental health,—oversight commission. — be scheduled for consideration by the House, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3929),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Hopkinton,—easement. — By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (House, No. 3668), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 3909),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

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

Tewksbury,—town clerk. — The Senate Bill relative to the town clerk in the town of Tewksbury (Senate, No. 2104) [Local Approval Received]; and

House bills

Non-discrimination. — Relative to non-discrimination training in the work place (House, No. 1413);

Condominiums. — Relative to record keeping for condominiums (House, No. 1547);

School leases. — Relative to regional school district leases (House, No. 1912, changed).

Springfield,—towing. — Relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (House, No. 3490) [Local Approval Received];

Westwood,—liquor license. — Authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675) [Local Approval Received];

Aquinnah,—assessed taxation. — Relative to authorizing the town of Aquinnah to refund tax payments and accrued interest from improperly assessed taxation in prior fiscal years 2005 and 2006 (House, No. 3708) [Local Approval Received];

Harvard,—liquor licenses. — Authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715) [Local Approval Received];

Fitchburg,—liquor license. — Authorizing the city of Fitchburg to grant an additional license for the sales of wines and male beverages not to be drunk on the premises (House, No. 3738) [Local Approval Received];

Westwood,—town charter. — Providing for a charter for the town of Westwood (House, No. 3763) [Local Approval Received];

Westborough,—town charter. — Amending the charter of the town of Westborough (House, No. 3800) [Local Approval Received];

Abington,—town meeting. — Validating the actions taken at a certain town meeting in the town of Abington (printed in House, No. 3843); and

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bill.

Bill enacted. — The engrossed Bill relative to a Uniform Anatomical Gift Act (see Senate, No. 2067) (which originated in the Senate), 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.

Orders of the Day.

The House Bill amending the charter of the town of Harwich (House, No. 3503, changed) (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. Third reading bill.

Recess.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon, and at that time the House was called to order with Mr. Donato in the Chair. Recess.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to improve the administration of state government and finance (Senate, No. 1940), 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 3944. Government,— finances.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3814,— and the amendment recommended by the committee on Ways and Means, pending.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1940, amended) was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at twelve o'clock noon. Next sitting.

At five minutes after 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 Wednesday at twelve o'clock noon.

Wednesday, February 15, 2012.

Met according to adjournment at twelve o'clock noon, 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.

Statement Concerning Representative Golden of Lowell.

A statement of Mr. Rushing of Boston concerning Mr. Golden of Lowell was spread upon the records of the House, as follows:

Statement concerning Mr. Golden of Lowell.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Golden of Lowell, is unable to be present in the House Chamber for today's sitting due to family business. His missing of roll calls today is due entirely to the reason stated.

Resolutions.

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

Robert J. Haynes.

Resolutions (filed by Messrs. Donato of Medford, DeLeo of Winthrop and Walsh of Boston) congratulating Robert J. Haynes on the occasion of his retirement from the Massachusetts AFL-CIO; and

Mildred Christine Hailey.

Resolutions (filed by Representatives Sánchez of Boston and Malia of Boston) congratulating Mildred Christine Hailey on the occasion of her retirement from the Bromley-Heath Tenant Management Corporation;

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

Petitions.

Electronic devices,—insurance.

Mr. Michlewitz of Boston presented a petition (subject to Joint Rule 12) of Aaron Michlewitz relative to regulating insurance for portable electronic devices; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Representative Haddad of Somerset and Senator Rodrigues presented a joint petition (subject to Joint Rule 12) of Patricia A. Haddad, Michael J. Rodrigues and other members of the General Court (by vote of the town) relative to the development of the Meditech project on a certain parcel of land located in the town of Freetown; and the same was referred, under Rule 24, to the committee on Rules.

Freetown,—
land.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Garballey of Arlington, a petition (subject to Joint Rule 12) of Sean Garballey and others relative to creating a special commission on school library services in the Commonwealth.

School library
commission.

By Mr. Madden of Nantucket, a petition (subject to Joint Rule 12) of Timothy R. Madden relative to requiring the community preservation committee to make legislative recommendations for the acquisition, creation, preservation, rehabilitation and restoration of certain properties.

Community
preservation.

By Mr. Straus of Mattapoisett, a petition (subject to Joint Rule 12) of William M. Straus, George N. Peterson, Jr., and Paul K. Frost relative to authorizing the use of a bow and arrow on Sundays during hunting season.

Bow hunting,—
Sundays.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill authorizing the town of Plymouth to establish an other post-employment benefits fund (Senate, No. 2030) (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.

Plymouth,—
post-
employment
fund.

A petition (accompanied by bill, Senate, No. 2137) of Robert L. Hedlund and James M. Cantwell (by vote of the town) for legislation to authorize the transfer of land in Marshfield, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Marshfield,—
land
transfer.

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 following petitions;

Petition (accompanied by bill) of Brian M. Ashe and others for legislation to establish a special fund to be used for the replanting of trees in certain storm damaged areas. To the committee on Environment, Natural Resources and Agriculture.

Storm
fund.

Municipal,—
emergency
appropriations.

Petition (accompanied by bill) of Brian M. Ashe and others for legislation to authorize municipal finance oversight boards to extend the time period for emergency appropriations. To the committee on Municipalities and Regional Government.

Revere,—
bridge and
facility
naming.

Petition (accompanied by bill) of Kathi-Anne Reinstein for legislation to designate a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and to designate a certain maintenance facility located in said city as the Captain Arthur “Icy” Reinstein Memorial Maintenance Facility. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Undocumented
aliens,—
study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration of the petition (accompanied by resolve, House, No. 1857) of John V. Fernandes and others relative to providing for an investigation and study by a special commission (including members of the General Court) relative to the impact of undocumented aliens residing in the commonwealth,— and recommending that the same be referred to the committee on Economic Development and Emerging Technologies. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Vocational
technical
education.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to vocational technical education (House, No. 3926), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Board of
Agriculture.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to strengthen and expand the Board of Agriculture (House, No. 3221, changed in line 11 by striking out the word “six” and inserting in place thereof the word “four”). Read; and referred, under Rule 33, to the committee on Ways and Means.

Pearlene
Odom,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Pearlene Odom, an employee of the Massachusetts Department of Transportation, Highway Division (House, No. 3910). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Engrossed Bills.

Engrossed bills

Bills
enacted.

Authorizing the appointment of special police officers in the town of Watertown (see House, No. 3434); and

Relative to the retirement of Penelope Harvey (see House, No. 3828); (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.

Recess.

At eighteen minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock; and at twenty three minutes after one o'clock the House was called to order with Mr. Mariano of Quincy in the Chair.

Recess.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Kocot of Northampton.

Government,—
administration
and finance.

Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Chair, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 146 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 195.

[See Yea and Nay No. 195 in Supplement.]

Therefore a quorum was present.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Messrs. Lewis of Winchester, Vieira of Falmouth and Cantwell of Marshfield moved to amend it by inserting after section 168 (as published) the following section:

“SECTION 169A. A Special Commission shall be established to study and make recommendations concerning functional overlaps and other redundancies among state agencies and opportunities to promote efficiency and accountability in state government.

Section A. The Commission shall identify ways to eliminate such overlaps and redundancies and make such other recommendations as the commission deems appropriate, with the goal of reducing costs to the state and enhancing the quality and accessibility of state services to the public. The Commission shall consider merging or consolidating state agencies and programs if such action would reduce costs without adversely impacting the quality of services. The Commission shall also seek to identify opportunities to maximize revenues, such as federal grants and matching funds.

Section B. Members of the Commission shall be determined as follows: (1) Three members to be appointed by the Speaker of the House; (2) Two members to be appointed by the House Minority Leader; (3) Three members to be appointed by the Senate President; (4) Two

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administration
and finance.

members to be appointed by the Senate Minority Leader; (5) One member to be appointed by the State Auditor; (6) One member to be appointed by the State Treasurer; (7) One member to be appointed by the State Comptroller; (8) Four members to be appointed by the Governor. The Commission shall be bipartisan and may include members of the General Court, members of the executive branch, members of the judicial branch, or outside experts. The Speaker of the House and the Senate President shall determine which two members of the Commission will serve as co-chairpersons.

Section C. The Commission may hold hearings and invite testimony from experts and the public. The Commission shall review and identify best practices learned from undertaking similar efforts in other states, such as Connecticut’s Commission on Enhancing Agency Outcomes which reported its findings and recommendations in December, 2010.

Section D. The agency head and staff of each state agency under consideration by the Commission shall ensure that any data, information or materials that the Commission requests for purposes of its review and deliberations are provided to the Commission in a timely manner.

Section E. Members of the Commission shall be named and the Commission shall commence its work within 60 days of the signing of this bill into law. The Commission shall submit its report and recommendations within 18 months following commencement of its work to the Speaker of the House, Senate President, and Governor. The report will also be made available online for public review.”

After remarks on the question on adoption of the amendment, the sense of the House taken by yeas and nays, at the request of Mr. Lewis; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 196 in Supplement.]

Therefore the amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill by inserting after section 169A (inserted by amendment) the following section:

“SECTION 169B. Tax expenditures are a form of taxpayer spending and should be subject to the same scrutiny by government policymakers required by direct expenditures and the same disclosure and transparency required for direct expenditures. In the interest of simplicity and equity, the total number of tax expenditures and the total amount of foregone revenues should be limited to those that are highly effective at achieving clearly-identified public policy purposes.

There should be a comprehensive, rational, policy-driven and analytic approach to our tax expenditure budget. Each particular tax expenditure should:

1. Have a clearly identified public policy purpose and desired outcome for clearly identified beneficiaries;
2. Be subject to a periodic, data-based, cost-benefit analysis that measures success in achieving the public policy purpose and desired outcome for the intended beneficiaries;
3. Be subject to a periodic review by the Legislature and the Governor for the purpose of determining the effectiveness of the tax expenditure and taking any action to eliminate, modify or preserve the tax expenditure that may be warranted based on such determination; and

Amendment
adopted,—
yea and nay
No. 196.

4. To the extent the tax expenditure is dependent on certain conduct of the tax beneficiary and/or is approved and awarded pursuant to the discretion of an administering agency, it should be subject to well-articulated standards of accountability with appropriate enforcement mechanisms, such as clawbacks.”.

After remarks on the question on adoption of the amendment, the sense of the House taken by yeas and nays, at the request of Mr. Kaufman; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 197.

[See Ye and Nay No. 197 in Supplement.]

Therefore the amendment was adopted.

Mr. Scaccia of Boston then moved to amend the bill in section 74, after line 398, by inserting the following paragraph:

“ ‘Counties’ means the following counties, exclusive, Barnstable, Bristol, Dukes, Nantucket, Norfolk and Plymouth.”.

The amendment was adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the bill in section 101, after line 3159, by inserting the following section:

“ ‘Allowable growth’, the product of the percentage change in the personal income of Massachusetts residents as most recently reported by the federal Bureau of Economic Analysis, from the index so reported 12 months before, and a factor of -5.”; and by inserting after section 169B (inserted by amendment) the following section:

“SECTION 169C. Chapter 29 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking section 5G and inserting in place thereof the following:

Section 5G. After each quarter, the department of revenue shall certify to the state comptroller the amount of tax revenues estimated to have been collected during the preceding quarter from capital gains income. If the department of revenue certifies that the amount of tax revenues estimated to have been collected from capital gains income exceeds the product of \$1,000,000,000 and allowable growth in a fiscal year, the comptroller shall transfer quarterly any such amount to the Commonwealth Stabilization Fund established by section 2H.

This transfer shall be made before the certification of the consolidated net surplus for the previous fiscal year under section 5C. The department of revenue shall report by November 30 to the state comptroller, the executive office for administration and finance and the house and senate committees on ways and means tax revenues estimated to have been collected during the preceding fiscal year from capital gains income.

Five per cent of any amount transferred to the Commonwealth Stabilization Fund under this section shall then be transferred from the Commonwealth Stabilization Fund to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A and 5 per cent of any amount transferred to the Commonwealth Stabilization Fund under this section shall then be transferred from the Commonwealth Stabilization Fund to the Commonwealth’s Pension Liability Fund established in section 22 of chapter 32.”.

Amendments
adopted,—
yea and nay
No. 198.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 198 in Supplement.]

Therefore the amendments were adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the bill by striking out section 159 and inserting in place thereof the following section:

“SECTION 159. The General Laws, as appearing in the 2010 Official Edition, are hereby amended by inserting after chapter 29D the following new chapter:

CHAPTER 29E.

Limitation on the Growth of State Expenditures.

Section 1. It is the intent of this chapter that there be established for each fiscal year a state expenditure growth limit calculated on the basis of the level of growth of inflation and population in the Commonwealth.

Section 2. For the purposes of this chapter the following definitions apply:

‘Inflation’ means the percentage change in the United States Bureau of Labor Statistics Consumer Price Index for Boston-Brockton-Nashua, all items, all urban consumers, not seasonally adjusted, or its successor index.

‘State Expenditures’ means funds made available by appropriation by the general court for the ordinary maintenance of the several departments, offices, commissions and institutions of the commonwealth, as set forth for the fiscal year in the general appropriations act and supplemental appropriations acts as provided for in chapter 29; provided, such funds are financed by state tax revenues.

‘State Population Change’ means the percentage change in state population as determined by annual federal census estimates and such number shall be adjusted every decade to match the federal census.

‘State Tax Revenues’ means the revenues of the Commonwealth from every tax, surtax, receipt, penalty and other monetary exaction, and interest in connection therewith, including but not limited to, taxes and surtaxes on personal income, excises and taxes on retail sales and use, meals, motor vehicle fuels, businesses and corporations, public utilities, alcoholic beverages, tobacco, inheritances, estates, deeds, room occupancy and pari-mutuel wagering; but excluding federal reimbursements, proceeds from bond issues, earnings on investments, tuitions, fees, service charges and other departmental revenues, and revenues directly attributable to the additional taxes levied pursuant to section eighty-eight of chapter six hundred and eighty-four of the Acts of nineteen hundred and seventy-five.

Section 3. Beginning on or after January 1, 2013 the growth rate in state expenditures for every ensuing fiscal year shall equal inflation plus the state population change as so reported 12 months before.

Section 4. Following the execution of the provisions of section 3, should state tax revenues exceed state expenditures, the amount in excess shall be transferred to the temporary holding fund established

by the comptroller. Any balance in the temporary holding fund greater than zero at the end of the fiscal year shall be refunded to the taxpayers of the Commonwealth, as prescribed by rules and regulations determined by the commissioner of revenue; provided, the provisions of section 5C of chapter 29 shall not occur until after the provisions of this section are executed.

Section 5. Following the execution of the provisions of section 3, should state expenditures exceed state tax revenues, the amount in excess shall be reduced to match state tax revenues.

Section 6. The Supreme Judicial Court or Superior Court may, upon the petition of not less than twenty-four taxable inhabitants of the Commonwealth, enforce the provisions of this chapter. If successful, said taxable inhabitants shall be entitled to recover reasonable attorneys' fees and other costs from the Commonwealth incurred in maintaining such suit.

Section 7. The provisions of this law are severable, and if any clause, sentence, paragraph, or section of this chapter or an application thereof shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, or section adjudged invalid."; and by striking out section 160 (as published) and inserting in place thereof the following section:

"SECTION 161. Chapter 62F of the General Laws, as appearing in the 2010 Official Edition, is hereby repealed."

After debate on the question on adoption of the amendments, the sense of the House taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 34 members voted in the affirmative and 116 in the negative.

Amendments
rejected,—
yea and nay
No. 199.

[See Yeas and Nays No. 199 in Supplement.]

Therefore the amendments were rejected.

Representatives Jones of North Reading and other members of the House then moved to amend the bill by striking out section 159 and 160 (as published) and inserting in place thereof the following section:

"SECTION 159. The General Laws are hereby amended by striking out chapter 62F and inserting in place thereof the following chapter:—

CHAPTER 62F.

Limitation on the Growth of State Tax Revenues.

Section 1. As used in this section, the following words shall, unless the context requires otherwise, have the following meanings:—

'State tax revenues', the revenues of the commonwealth from every tax, surtax, receipt, penalty and other monetary exaction and interest in connection therewith including, but not limited to, taxes and surtaxes on personal income, excises and taxes on retail sales and use, meals, motor vehicle fuels, businesses and corporations, financial institutions, insurance companies, public utilities, alcoholic beverages, tobacco, inheritances, estates, deeds, room occupancy and pari-mutuel wagering, but excluding revenues collected by the state from local option taxes for further direct distribution to cities and towns.

Government,—
administration
and finance.

Section 2. If state tax revenues in any fiscal year exceed the product of state tax revenues for the previous fiscal year and 1.045, the amount of such excess, as determined annually by the department of revenue on or before September 30, shall result in a credit equal to the total amount of such excess. The credit shall be applied to the then current personal income tax liability of all taxpayers on a proportional basis to the personal income tax liability incurred by all taxpayers in the immediately preceding taxable year. Any amount of the credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer to any of the 5 subsequent taxable years.

The department of revenue shall take such action and shall have the authority to issue such rules and regulations as are necessary to effectuate the requirements of this section.”

Amendment
rejected,—
yea and nay
No. 200.

After remarks on the question on adoption of the amendment, the sense of the House taken by yeas and nays, at the request of Mr. Jones; and on the roll call 34 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 200 in Supplement.]

Therefore the amendment was rejected.

Representatives Jones of North Reading and other members of the House then moved to amend the bill in section 115, in line 3438, by inserting after the word “consideration” the words “within ten days of the agreement to the consensus tax estimate; provided, such consideration shall be taken by the yeas and nays of each house of the general court present and voting thereon”; and, in line 3440, by inserting after the word “year.”, the following sentence: “If the general court fails to comply with the provisions of this paragraph, the consensus tax estimate for the ensuing fiscal year shall be equal to the consensus tax estimate of the previous fiscal year.”. After remarks the amendments were adopted.

Mr. Scibak of South Hadley then moved to amend the bill by inserting after section 169C (inserted by amendment) the following section:

“SECTION 169D. Section 30 of Chapter 7 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended in line 7, by inserting after the first paragraph the following paragraph:—

Every agency and institution of the Commonwealth shall transmit to the human resources division all employment opportunities, notices, and postings, excluding positions subject to section 46D of chapter 30, chapter 31 and chapter 150E, including but not limited to notices of job opportunities, new positions and vacancies. The division shall immediately place all such information in the statewide employment computerized referral system. No position shall be filled without full compliance with this section.”

The amendment was adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 169 D (inserted by amendment) the following section:

“SECTION 169E. Subsection (a) of section 7 of chapter 150E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following:—

The agreement shall be reduced to writing, executed by the parties, and a copy of such agreement shall be filed with the commission, the house and senate committees on ways and means, and the clerks of the house and senate forthwith by the employer. All agreements shall be conspicuous and accessible online in searchable format through the general court's website and there shall be an archive of all agreements available online in searchable format."

The amendment was adopted.

Messrs. Stanley of Waltham and Lawn of Watertown then moved to amend the bill in section 74, in line 1526, by inserting after the word "surplus" the words "; provided however that the Commissioner shall not convene a new advisory committee to advise on reuses if a re-use committee is currently active.". The amendment was adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 169E (inserted by amendment) the following section:

"SECTION 169F. Notwithstanding any general or special law to the contrary, there shall be a special commission to study and report on the feasibility of a two-year budget process for the Commonwealth. The commission shall consist of the treasurer, or his designee; the secretary for administration and finance, or his designee; the comptroller, or his designee; 3 members of the house of representatives, 2 of whom shall be appointed by the speaker of the house, and 1 of whom shall be appointed by the minority leader of the house; and 3 members of the senate, 2 of whom shall be appointed by the senate president, and 1 of whom shall be appointed by the senate minority leader. The commission shall prepare a report of the findings and recommendations together with recommendations for legislation to implement those recommendations by filing the same with the clerks of the senate and house not later than 60 days after the passage of this bill. The commission shall not receive compensation."

The amendment was adopted.

Representatives Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 169F (inserted by amendment) the following section:

"SECTION 169G. (a) There shall be a special commission of the General Court to conduct a study and investigation of the feasibility, cost and benefit of establishing an independent, nonpartisan fiscal and policy research office within the General Court. The commission shall consist of the following members: 2 members to be appointed by the president of the senate, 1 of whom shall serve as co-chair; 1 member appointed by the minority leader of the senate; 2 members to be appointed by the speaker of the house, 1 of whom shall serve as co-chair; and 1 member appointed by the minority leader of the house of representatives. The study shall include, but not be limited to, the following topics: the organization and cost of independent research offices in operation in other legislative bodies; the technical and operational resources needed to complete the functions of such research office; an assessment of how existing human resources could integrate with a new research office; and the new services, if any, that could be provided to the membership and the public.

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(b) The commission may utilize staff as it deems necessary, including a staff person or persons designated by each the house committee of personnel and administration, the office of the senate president, the office of the senate minority leader, the office of the speaker of the house of representatives, and the office of the house minority leader.

(c) The commission shall report the results of its investigation and study, together with any drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives who shall forward the same to the house committee on personnel and administration, and the house and senate committees on ways and means on or before December 31, 2012.”

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 74, in lines 1350 to 1354, inclusive, by striking out the two sentences in those lines; and in lines 1581 to 1588, inclusive, by striking out the two sentences in those lines and inserting in place thereof the following sentence: “For petitions which authorize the sale, transfer or other disposition of any state-owned real property filed by persons other than the governor, the legislative committee to which that petition may be referred shall solicit a report from the commissioner stating the recommendation of the commissioner for either the approval or the disapproval of the bill and the reasons of the commissioner therefor.”;

In section 154, in lines 4020 and 4021, by striking out the paragraph in those lines;

By striking out section 168 (as published) and inserting in place thereof the following section:

“SECTION 169. The state treasurer shall issue a request for the competitive procurement of any fund established under section 38A of chapter 29 of the General Laws on or before May 1, 2012.”.

The amendments were adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 74, in lines 1431 to 1446, inclusive, by striking out the sentence contained therein and inserting in place thereof the following sentence: “The commissioner shall exercise the powers stated in this chapter, notwithstanding the delegations under certain terms and purposes which the general court has made pertaining to the acquisition, control, and disposition of real property.”. The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, as amended, the sense of the House taken by yeas and nays, at the request of Mr. Kocot of Northampton; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 201 in Supplement.]

Therefore the bill (Senate, No. 1940, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (see House document numbered 3949).

Orders of the Day.

The Senate Bill establishing a sick leave bank for Sharyn LeCesse, an employee of the Registry of Motor Vehicles (Senate, No. 2129), 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.

Bill passed to
be engrossed,—
yea and nay
No. 201.

Third
reading
bill.

House bills

Authorizing the Nantucket Islands Land Bank to sell, convey or otherwise dispose of certain land situated in the town of Nantucket (House, No. 3836) (its title having been changed by the committee on Bills in the Third Reading); and

Third reading bills.

Establishing a sick leave bank for James Crosby, an employee of the Department of Veterans. Services (House, No. 3862);

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 relative to the town clerk in the town of Tewksbury (Senate, No. 2104); and

Second reading bills.

House bills

Relative to non-discrimination training in the work place (House, No.1413);

Relative to record keeping for condominiums (House, No. 1547);

Relative to regional school district leases (House, No. 1912, changed);

Relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (House, No. 3490);

Authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675);

Relative to authorizing the town of Aquinnah to refund tax payments and accrued interest from improperly assessed taxation in prior fiscal years 2005 and 2006 (House, No. 3708);

Authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715);

Authorizing the city of Fitchburg to grant an additional license for the sales of wines and male beverages not to be drunk on premises (House, No. 3738);

Providing for a charter for the town of Westwood (House, No. 3763);

Amending the charter of the town of Westborough (House, No. 3800);

Validating the actions taken at a certain town meeting in the town of Abington (printed in House, No. 3843); and

To convey a certain parcel of land in Holyoke to Holyoke Community College (House, No. 3849);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to creating a community based flexible supports oversight commission (House, No. 1429, changed), was read a second time.

Second reading bill amended.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3929),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (House, No. 3668), was read a second time.

Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the

same title (House, No. 3909),— was adopted; and the substituted bill was ordered to a third reading.

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.

At two minutes after four o'clock P.M., on motion of Mr. Kafka of Stoughton (Mr. Mariano of Quincy being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Thursday, February 16, 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.

Communications.

Communications

From the Division of Professional Licensure (pursuant to Section 3B of Chapter 7 of the General Laws) relative to the implementation of proposed fee changes by the Board of Registration in Dentistry [copy of said communication forwarded to the committee on Ways and Means, as required by said law; and to the committee on Consumer Protection and Professional Licensure, for informational purposes]; and Board of Registration in Dentistry,— fees.

From the Massachusetts Bay Transportation Authority (see Section 11 of Chapter 161A of the General Laws) submitting a report on its efforts to maximize non-transportation revenue; MBTA,— non-transit revenues.

Severally were placed on file.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough and other members of the House) congratulating E. Dennis Kelly, Jr., on his committed service to Bristol County and the Greater Taunton/Attleboro area; E. Dennis Kelly, Jr.

Resolutions (filed by Mr. Vallee of Franklin) honoring Colonel Gerard Fridmann on his return from a successful deployment to Afghanistan as Deputy Commander of the 26th Maneuver Enhanced Brigade; and Colonel Gerard Fridmann.

Resolutions (filed by Mr. Vallee of Franklin) honoring Brigadier General John A. Hammond on his return from a successful deployment to Afghanistan as Commander of the 26th Maneuver Enhanced Brigade; General John A. Hammond.

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

Petitions.

Swansea,—
fund.

Representative Howitt of Seekonk and Senator Rodrigues presented a joint petition (accompanied by bill, House, No. 3950) of Steven S. Howitt, Patricia A. Haddad and Michael J. Rodrigues (by vote of the town) relative to the Supplemental Reserve Fund to Ensure Fiscal Stability in the town of Swansea; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Foxborough,—
intoxication.

By Mr. Barrows of Mansfield, a petition (subject to Joint Rule 12) of F. Jay Barrows (by vote of the town) relative to public intoxication in the town of Foxborough.

New Bedford,—
Hebert
Bridge.

By Representative Cabral of New Bedford and Senator Montigny, a joint petition (subject to Joint Rule 12) of Antonio F. D. Cabral, Mark Montigny and others for legislation to designate a portion of the “New Bedford-Fairhaven Bridge” as the Roland J. Hebert Bridge.

Swansea,—
volunteer fire
department.

By Representative Howitt of Seekonk and Senator Rodrigues, a joint petition (subject to Joint Rule 12) of Steven S. Howitt, Patricia A. Haddad and Michael J. Rodrigues (by vote of the town) that the town of Swansea be authorized to provide certain tax exemptions to members of the volunteer fire department of said town.

Severally, under Rule 24, to the committee on Rules.

Reports of Committees.

Cheryl A.
Cole,—
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 Stephen Stat Smith for legislation to establish a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid. Under suspension of the rules, on motion of Mr. Garballey of Arlington, 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.

Personal care
attendants.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to improve the personal care attendant program (House, No. 47).

Id.

By the same member, for the same committee, on a petition, a Bill to improve the personal care attendant program (House, No. 64).

Id.

By the same member, for the same committee, on a petition, a Bill relative to cueing and supervision in the PCA program (House, No. 65).

Id.

By the same member, for the same committee, on a petition, a Bill to clarify the definition of a personal care attendant (House, No. 75).

Id.

By the same member, for the same committee, on a petition, a Bill relative to cueing and supervision in the PCA program (House, No. 2685).

Nursing
facilities
reporting.

By the same member, for the same committee, on a petition, a Bill relative to nursing facility reporting (House, No. 3105).

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

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, No. 1994, a Bill expanding the powers of the Director of Fisheries and Wildlife (House, No. 3946). Read; and referred, under Rule 33, to the committee on Ways and Means.

Fisheries and Wildlife,—
Director.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to dementia patients in longterm care facilities (House, No. 347) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3947).

Longterm care facilities.

By the same member, for the same committee, that the Bill relative to annual immunization against influenza for children (House, No. 582) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3948).

Children,—
influenza immunization.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a joint petition, a Bill naming a certain bridge in the town of Dalton (House, No. 3638). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dalton,—
Michael J. Casey
Bridge.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Sharyn LeCesse, an employee of the Registry of Motor Vehicles (see Senate, No. 2129), 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.

Sharyn LeCesse,—
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 8 to 0. Sent to the Senate for concurrence.

Orders of the Day.

House bills

Relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (House, No. 3490);

Third reading bills.

Authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675);

Relative to the number of voting precincts in the town of Chelmsford (House, No. 3716) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the city of Fitchburg to grant an additional license for the sales of wines and male beverages not to be drunk on the premises (House, No. 3738) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Pearlene Odom, an employee of the Massachusetts Department of Transportation. (House, No. 3910) (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 Tuesday next at eleven o'clock A.M.

Next
sitting.

At nine minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, February 21, 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.

Resolutions.

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

Resolutions (filed by Mr. Calter of Kingston) congratulating Scott Curtis Nichols on receiving the Eagle Award of the Boy Scouts of America; Scott Curtis Nichols.

Resolutions (filed by Representatives Creedon of Brockton, D'Emilia of Bridgewater and Canavan of Brockton) congratulating Colleen Ann Corona on her retirement as Chairperson of the Easton Board of Selectmen; Colleen Ann Corona.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Lucy Allen on receiving the Gold Award of the Girl Scouts of America; Lucy Allen.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Bree Cusanno on receiving the Gold Award of the Girl Scouts of America; Bree Cusanno.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Abby Grant on receiving the Gold Award of the Girl Scouts of America; Abby Grant.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Maryellen Krahn on receiving the Gold Award of the Girl Scouts of America; Maryellen Krahn.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Kara O'Connell on receiving the Gold Award of the Girl Scouts of America; Kara O'Connell.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Eleanor Pope on receiving the Gold Award of the Girl Scouts of America; and Eleanor Pope.

Resolutions (filed by Mr. Howitt of Seekonk) congratulating the town of Seekonk on the occasion of its bicentennial; Seekonk,—bicentennial.

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. Peisch of Wellesley, 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 Mr. Wagner of Chicopee, a petition (accompanied by bill, House, No. 3956) of Joseph F. Wagner and James T. Welch (with the Chicopee,—precincts.

approval of the mayor and city council) relative to voting precincts in the city of Chicopee. To the committee on Election Laws.

Barnstable,—
assessments.

By Mr. Atsalis of Barnstable, a petition (accompanied by bill, House, No. 3957) of Demetrius J. Atsalis, Cleon H. Turner and Randy Hunt (by vote of the town) relative to sewer betterment assessments in the town of Barnstable. To the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Autopsy
reports,—
disclosure.

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant and others relative to the disclosure of autopsy reports by the Office of the Chief Medical Examiner.

Environmental
appeals,—
board.

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka and others relative to establishing a department of environmental protection appeals board.

Farmers'
market,—
property
taxes.

By Mr. Ross of Attleboro, a petition (subject to Joint Rule 12) of George T. Ross and others for legislation to exempt farmers. markets from certain property taxes.

Maureen
Shaw,—
death
benefit.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh and others relative to the payment of an accidental death benefit from the State-Boston Retirement Board to Maureen Shaw.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Natick,—
liquor
licenses.

The House Bill authorizing the town of Natick to grant certain licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 3725, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding section 11 of chapter 138 of the General Laws or any other general or special law to the contrary, the town of Natick may grant to restaurants with seating capacities of not less than 15 persons licenses for the sale of wines and malt beverages to be drunk on the premises; provided, however, that not more than 17 licenses for the sale of wine and malt beverages shall be in effect at any 1 time, including licenses issued pursuant to chapter 19 of the acts of 2002. The licenses shall be subject to all of said chapter 138, except said section 11.”

Under suspension of Rule 35, on motion of Mr. Linsky of Natick, 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.

Bills

Architectural
Access Board.

Relative to the Architectural Access Board (Senate, No. 1246, amended in section 2, in line 8, by striking out the word “public”; and by striking out section 3 and inserting in place thereof the following section:

“SECTION 3. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out, in lines 45 and 46, the words

‘if the number of parking spaces in any such area is fifteen or more’ and inserting in place thereof the following words: — ; provided, however, that the parking requirements are consistent with the Americans with Disabilities Act Standards for Accessible Design.’”) (on a petition);

Relative to real estate tax abatements (Senate, No. 2027) (on a petition); and

Tax abatements.

Relative to the emergency service response of public utility companies (Senate, No. 2143) (on Senate bill No. 2140);

Utilities,— response.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Providing for recall elections in the town of Northfield (Senate, No. 1959, amended in section 1, in line 9, by striking out the words “, and may, but need not,” and inserting in place thereof the word “and shall”) (on a petition) [Local Approval Received]; and

Northfield,— recall elections.

Relative to medical emergency response plans for schools (Senate, No. 2132, amended in section 2 (as published), in lines 44, 45 and 46, by striking out the sentence contained therein and inserting in place thereof the following two sentences: “The department of elementary and secondary education, in consultation with the department of public health, shall develop a cost-neutral model medical emergency response plan in order to promote best practices. This cost-neutral model medical emergency response plan shall be made available to school committees and commonwealth charter school boards.”);

Schools,— emergency response plans.

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.

Petition (accompanied by bill) of Robert L. Hedlund for legislation to authorize the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Massachusetts Water Resources Authority.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2154) was referred, in concurrence, to the committee on Environment, Natural Resources and Agriculture.

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 following petitions;

Petition (accompanied by bill) of Nick Collins relative to the eligibility of handicapped persons of low income for housing accommodations in complexes reserved for elderly persons.

Low income housing.

Petition (accompanied by bill) of Nick Collins relative to the eligibility for admittance to state subsidized elderly-disabled housing.

Elderly-disabled housing.

Severally to the committee on Housing.

Foxborough,—
intoxication

Petition (accompanied by bill) of F. Jay Barrows (by vote of the town) relative to public intoxication in the town of Foxborough. To the committee on the Judiciary.

Roland J.
Hebert
Bridge

Petition (accompanied by bill) of Antonio F. D. Cabral, Mark Montigny and others for legislation to designate a portion of the "New Bedford-Fairhaven Bridge" as the Roland J. Hebert Bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Limited
purpose trust
companies.
School
plans.

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 limited purpose trust companies subject to supervision by the Division of Banks (House, No. 2040); and

Relative to school improvement plans (House, No. 3923);

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.

Condo-
miniums,—
study.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to a special commission to study condominium law (House, No. 1248). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Housing,—
land.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to development of local housing authority surplus land (House, No. 365).

Housing,—
electronic
funds.

By the same member, for the same committee, on a petition, a Bill relative to the efficiency of subsidized housing procedures (House, No. 2791).

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

Open space,—
development.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill to promote open space residential development (House, No. 370).

Elderly
housing,—
smoke free.

By the same member, for the same committee, on a petition, a Bill creating smoke free elderly housing units in the Commonwealth (House, No. 383).

Id.

By the same member, for the same committee, on a petition, a Bill providing for nonsmoking units in elderly housing (House, No. 2110).

Easton,—
rent
regulation.

By the same member, for the same committee, on a joint petition, a Bill providing for the establishment and administration of rent regulation and control of evictions in mobile home park accommodations in the town of Easton (House, No. 3793) [Local Approval Received].

Springfield,—
land.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the city of Springfield to convey certain park land and to grant a license agreement over certain park land to Unifirst Corporation (House,

No. 3874, changed in section 1, in line 1, by striking the following: “SECTION 1. The” and inserting in place thereof the following words: “SECTION 1. Pursuant to Article XCVII of the Amendments to the Constitution of the Commonwealth of Massachusetts notwithstanding the provision of any general or special law to the contrary, but subject to paragraphs a, b, and g of section 16 of chapter 30B of the General Laws, the”) [Local Approval Received].

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (House, No. 3935).

Stephen
Gladding.—
sick leave.

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

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Sharyn LeCesse, an employee of the Registry of Motor Vehicles (see Senate, No. 2129), (which originated in the Senate), 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.

Bill
enacted.

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 twelve minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (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.

Thursday, February 23, 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.

Message from the Governor.

Dracut,—precinct.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to a voting precinct in the town of Dracut (House, No. 3958) was filed in the office of the Clerk on Wednesday, February 22, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

Resolutions.

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

Northern Essex Community College.

Resolutions (filed by Mr. Dempsey of Haverhill and other members of the House) congratulating Northern Essex Community College on its fiftieth anniversary;

Bishop Michael R. Lunsford.

Resolutions (filed by Mrs. O'Connell of Taunton) recognizing Bishop Michael R. Lunsford on the twenty-ninth anniversary with the Antioch Church in Taunton;

Robert A. Dwan.

Resolutions (filed by Mr. Vallee of Franklin) honoring Army Lieutenant Colonel Robert A. Dwan upon his return from Afghanistan; and

Joanne Holbrook Patton.

Resolutions (filed by Messrs. Vallee of Franklin and Hill of Ipswich) honoring Joanne Holbrook Patton for her lifetime of service to our nation;

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. Garry of Dracut, 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:

Housing authorities,—salaries.

By Ms. Campbell of Methuen, a petition (subject to Joint Rule 12) of Linda Dean Campbell and others relative to housing and redevelopment authority executive directors.

Contractors,—requirements.

By Ms. Creedon of Brockton, a petition (subject to Joint Rule 12) of Geraldine M. Creedon relative to notification requirements between contractors.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The engrossed Bill relative to the regulation of salaries of employees of the town of Weston serving in the armed forces of the United States (see House, No. 3463), came from the Senate with the endorsement that it had been amended in section 1, in line 3, striking out the words “, either before or after the effective date of this act,”; and striking out section 2 and inserting in place thereof the following section:

Weston,—
military
employees.

“SECTION 2. Payments made by the town of any amounts authorized pursuant to section 1 are hereby ratified, validated and confirmed as though this act had been in full and effect on the date such payments were made.”

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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 Senate Bill relative to improving accountability and oversight of educational collaborative (Senate, No. 2105, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3889), with a further amendment striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2142.

Educational
collaborative.

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

A Bill relative to CPR certification for athletic coaches (Senate, No. 2109, amended in section 1, in line 5, by striking out the words “physically disabled coaches” and inserting in place thereof the words “a coach with a physical disability”) (on Senate, No. 261 and House, Nos. 163, 1920 and 2711), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

CPR
certification.

A Bill establishing a sick leave bank for Michael Foti, an employee of the Department of Correction (Senate, No. 2088) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Michael
Foti,—
sick leave
bank.

Mr. Kafka of Stoughton, for said committee, 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.

A Bill establishing a special reserve fund in the town of Millville (Senate, No. 1879, amended by inserting after section 2 the following section:

Millville,—
reserve
fund.

“SECTION 2A. The board of selectmen or the executive secretary of the town of Millville may authorize payments from the special reserve fund.”) (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.

Boston,—
dog
violations.

A petition (accompanied by bill, Senate, No. 2144) of Anthony Petrucci (with the approval of the mayor and city council) for legislation to expand the provisions of chapter 40U for the enforcement of dog violations in the city of Boston, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Dighton
Water
District.

A petition of Marc R. Pacheco and Patricia A. Haddad (by vote of the town) for legislation relative to the Dighton Water District, came from the Senate referred, under suspension of Joint Rule 9, to the committee on Municipalities and Regional Government.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2103) was referred, in concurrence, to the committee on Municipalities and Regional Government.

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 following petitions:

Charitable
solicitations.

Petition (accompanied by bill) of Pearl Cohen for legislation to further regulate certain charitable solicitations. To the committee on Consumer Protection and Professional Licensure.

Intimidation.

Petition (accompanied by bill) of David Paul Linsky relative to intimidation in the criminal justice system. To the committee on the Judiciary.

Corporal
Nicholas G.
Xiarhos
Bridge.

Petition (accompanied by bill) of Demetrius J. Atsalis for legislation to designate a certain bridge connecting the towns of Dennis and Yarmouth as the United States Marine Corporal Nicholas G. Xiarhos Bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. 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:

Truro,—
land.

Relative to the exchange of certain land in the town of Truro (House, No. 3312) [Local Approval Received];

Hanover,—
revolving fund.

Permitting the town of Hanover to establish a parks and recreation revolving fund (House, No. 3502) [Local Approval Received];

Scituate,—
Brian
Stewart.

Authorizing the town of Scituate to continue the employment of chief of police Brian E. Stewart (House, No. 3834) [Local Approval Received];

Tax basis
rules.

To continue tax basis rules for property acquired from decedents (House, No. 3915); and

Stephen
Gladding,—
sick leave
bank.

Establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (House, No. 3935);

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 Ms. Wolf of Cambridge, for the committee on Elder Affairs, on a petition, a Bill to ensure Massachusetts elderly citizens to be notified of health programs available to them (House, No. 182). Elderly,—
health
programs.

By the same member, for the same committee, on a petition, a Bill relative to assisted living residences (House, No. 1100). Assisted
living,—
training.

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

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on House, Nos. 185 and 1965, a Resolve providing for an investigation and study by a special commission relative to elder protective services (House, No. 1965). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Elder
protective
services,—
commission.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to access to epinephrine in schools (House, No. 594), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3959). Epinephrine,—
schools.

By the same member, for the same committee, that the Bill relative to the hemophilia advisory committee (House, No. 1526), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3960). Hemophilia
advisory
committee.

By the same member, for the same committee, that the Bill relative to the transporting of deceased persons (House, No. 1545), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3961). Transporting
deceased
persons.

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

Engrossed Bill.

The engrossed Bill authorizing the town of Natick to grant certain licenses for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3725, amended) (which originated in the House), 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. Bill
enacted.

Orders of the Day.

House bills

Relative to the duration of contract with the chief of police in the town of Natick (House, No. 3333) (its title having been changed by the committee on Bills in the Third Reading); and Third
reading
bills.

Relative to the procurement and award of contracts for certain affordable housing in the city of Boston (House, No. 3853);

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.

Recess.

Recess.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

*Emergency Measure.*Educational
collaborative.

The engrossed Bill relative to improving accountability and oversight of educational collaborative (see Senate, No. 2105, 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 3 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At thirteen minutes before one o'clock P.M., on motion of Mr. Frost of Auburn (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.

Monday, February 27, 2012.

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).

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. Pledge of allegiance.

Resolutions.

Resolutions (filed with the Clerk by Mr. Hill of Ipswich) congratulating Drew Schimmel on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules. Drew Schimmel.

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

Petitions.

Mrs. Nyman of Hanover presented a petition (subject to Joint Rule 12) of Rhonda L. Nyman and John F. Keenan for legislation to establish a sick leave bank for Mary M. Stanton, an employee of the Executive Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules. Mary M. Stanton,—
sick leave bank.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 the Public Service. Sent to the Senate for concurrence.

Representative Linsky of Natick and Senator Ross presented a joint petition (subject Joint Rule 12) of David Paul Linsky and Richard J. Ross for legislation to establish a sick leave bank for Janet Ruggieri, an employee of the Massachusetts Department of Revenue; and the same was referred, under Rule 24, to the committee on Rules. Janet Ruggieri,—
sick leave bank.

Paper from the Senate.

The House Bill relative to students with disabilities in post secondary education, employment and independent living (House, No. 3720), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 3, in line 31, striking out the word "June" and inserting in place thereof the word "September". Disabled,—
transition.

Under suspension of Rule 35, on motion of Mr. Sannacandro of Ashland, 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.

Janet
Ochner,—
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 joint petition of Peter V. Kocot and Stanley C. Rosenberg for legislation to establish a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services. 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 the Public Service. Sent to the Senate for concurrence.

Community
housing and
services.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to community housing and Services (Senate, No. 1967, 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 3963. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith. The amendment previously recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1967, amended) was ordered to a third reading.

Richard
Hughes,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Richard Hughes, an employee of the Massachusetts Water Resources Authority (House, No. 3891). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Scholarship
fund,—
disabilities.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve creating a scholarship fund to further the study of developmental disabilities (House, No. 54).

Public
disclosure.

By the same member, for the same committee, on a petition, a Bill providing for the public disclosure of quality indicators for persons with developmental disabilities (House, No. 55).

Child Advocate,—
access.

By the same member, for the same committee, on a petition, a Bill relative to access for the Office of the Child Advocate (House, No. 58).

Child Advocate,—
Advisory
Board.

By the same member, for the same committee, on a petition, a Bill expanding the office of the Child Advocate Advisory Board (House, No. 59).

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill pertaining to definitions in the Office of the Child Advocate (House, No. 60).

Child Advocate Board.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill authorizing the city of Woburn to place a certain question relative to the sale of alcoholic beverages on the state election ballot (House, No. 3892) [Local Approval Received].

Woburn,— alcoholic beverages.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill relative to a voting precinct in the town of Dracut (printed in House, No. 3958).

Dracut,— voting precinct.

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 Bill relative to dementia patients in longterm care facilities (House, No. 347), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3947),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Dementia patients.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to annual immunization against influenza for children (House, No. 582), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3948),— pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Children,— influenza immunization.

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

The Senate Bill providing for recall elections in the town of Northfield (Senate, No. 1959, amended) [Local Approval Received]; and

Northfield,— recalls.

House bills

To promote open space residential development (House, No. 370);

Housing.

Creating smoke free elderly housing units in the Commonwealth (House, No. 383);

Elderly housing,— smoke free.

Creating a regional school district planning committee (House, No. 1918, changed);

School district,— committee.

Providing for nonsmoking units in elderly housing (House, No. 2110);

Elderly housing.

Naming a certain bridge in the town of Dalton (House, No. 3638); and

Casey Bridge.

Relative to the powers and duties of a regional school district (House, No. 3918);

Regional schools.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Bills enacted.

Relative to the regulation of salaries of employees of the town Weston serving in the Armed Forces of the United States (see House, No. 3463, amended); and

Relative to outstanding excise tax and the towing of motor vehicles and trailers in the city of Springfield (see House, No. 3490);

(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 bill.

The Senate Bill establishing a sick leave bank for Michael Foti, an employee of the Department of Correction (Senate, No. 2088), 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.

Id.

The House Bill establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (House, No. 3935), 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. 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 Wednesday next at one o'clock P.M.

Next sitting.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Wednesday at one o'clock P.M.

Wednesday, February 29, 2012.

Met according to adjournment at one o'clock P.M., 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 Reverend Jonathan Tetherly of Chicopee, Chaplain of the Hampden County Correctional Center in Ludlow, as follows:

Let us pray. O God of our universe, who calls us into covenant to protect Your precious creation so that all may receive its benefits. Remind us always of our responsibility to live in harmony with the earth. Instill in our consciousness, O God, a constant recognition of the changes that we have brought about in Your creation. Prayer.

May the recent tornado, out of season snow storm and snowless winter strengthen in our mind the reports of our scientists; and may the Massachusetts Legislature be a beacon of reason for our whole nation and even beyond our own nation.

I pray that this legislature may act on behalf of all the residents of Massachusetts to treat us all as family.

May the family — working hard, at low pay and behind on their mortgage — be known and given aid;

May the elderly — with multiple health issues and limited geographic mobility — be understood and supported;

May the worker — unemployed for many months, through no fault of her own, standing on the brink of great negative changes in her life, unless work is found quickly — be rescued;

May the young man — in the inner city struggling with school, McDonald's employment, frustrating lack of cash and credit and gently told by criminal forces of a better income — be supported in his choices and given reasonable hope;

May the recent college graduate — condemned by debt to a life of scarcity — be given opportunity;

May those who have no home be given their own personal shelter; and

May those of means among us — vaguely aware of, but turning away from knowledge of trouble — discover the joy of providing support to a Commonwealth that cares for all of its people.

And Lord, bless this legislature. Give their minds creativity, give each one the courage to fully express his or her ideas, that the wisdom of the whole body be increased and then open our minds to cooperation and compromise so the solutions to the myriad of issues of Massachusetts may be discovered and acted upon.

I pray for Your blessing on all of us O God. Amen.

Ms. Andrews of Orange then moved that the prayer be spread upon the records of the House; and the motion prevailed.

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.

Statement Concerning Representative Pignatelli of Lenox.

A statement of Mr. Rushing of Boston concerning Mr. Pignatelli of Lenox was spread upon the records of the House, as follows:

Statement concerning Mr. Pignatelli of Lenox.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Pignatelli of Lenox, is unable to be present in the House Chamber for today's sitting due to a death in the family. His missing of roll calls today is due entirely to the reason stated.

Guests of the House.

Nashoba Valley Technical High School.

During the session, Representatives Arciero of Westford and Harrington of Groton took the Chair for the purpose of recognizing the administrators, faculty and students of the Nashoba Valley Technical High School for their heroic acts of bravery and courage of October 19, 2011. They then introduced Dr. Judith Klimkiewicz, Superintendent of the school, who provided details of the bravery of Matthew Ricard, James Creed, Rob Beaudette, Matt Kamfonik, Mike Robichaud, Ashley Curtin, Kayla Johnson and Thomas Hall, who, along with faculty members, were, on that day, able to restrain an armed and unwanted person who was approaching the school's cafeteria.

Representatives Arciero and Harrington then presented to each of the students previously adopted resolutions of the House commending them for their heroic acts of bravery and courage.

Resolutions.

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

Chorus North Shore.

Resolutions (filed by Mr. Hill of Ipswich) commending the esteemed Chorus North Shore on eighty years of dedicated service to the community;

David Jeffrey Elofson.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating David Jeffrey Elofson on achieving the Eagle Scout Award of the Boy Scouts of America;

Captain Gordon O'Brien.

Resolutions (filed by Mr. Bradley of Hingham) congratulating Captain Gordon O'Brien, United States Army, Retired, on being nominated to receive the Insignia of Chevalier of the Legion of Honor;

Elaine Lima.

Resolutions (filed by Mr. Cabral of New Bedford) congratulating Elaine Lima on the occasion of her retirement;

Robert J. Yered.

Resolutions (filed by Ms. Garlick of Needham) on the occasion of naming a Coast Guard ship in honor of Robert J. Yered;

Michael Clifford.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Michael Tait Clifford of Sharon Boy Scout Troop 95 on achieving the Eagle Scout Award;

Brendan Clifford.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Brendan Patrick Clifford of Sharon Boy Scout Troop 95 on achieving the Eagle Scout Award; and

Brian Fitzgerald.

Resolutions (filed by Mr. Kafka of Stoughton) congratulating Brian Jonathan Fitzgerald of Sharon Boy Scout Troop 95 on achieving the Eagle Scout Award;

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 Mr. Mariano of Quincy,

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 Department of Public Safety, on behalf of the Executive Office of Administration and Finance (pursuant to Section 3B of Chapter 7 of the General Laws) relative to the proposed promulgation of a new fee for the issuance of boiler certificates of inspection; and

Boiler inspections,— fees.

From the Pioneer Valley Transit Authority (under Section 8 of Chapter 161B of the General Laws) submitting the annual report of its accomplishments and achievements during the fiscal year 2011;

Pioneer Valley Transit.

Severally were placed on file.

Petition.

Representatives Kaufman of Lexington and Reinstein of Revere presented a petition (subject Joint Rule 12) of Jay R. Kaufman, Kathi-Anne Reinstein and others for legislation to authorize the Registrar of Motor Vehicles to issue reflective decals indicating that the driver of a vehicle may be the holder of a junior operator's license; and the same was referred, under Rule 24, to the committee on Rules.

Drivers' licenses,— decals.

Papers from the Senate.

The Senate Bill improving the administration of state government and finance (see Senate, No. 1940, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3949).

Government,— administration and finance.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Baddour, Donnelly and Knapik had been appointed to the committee on the part of the Senate.

Committee of conference.

On motion of Mr. Kocot of Northampton, the House insisted on its amendments; and concurred with the Senate in the appointment of a committee of conference. Representatives Kocot, Kulik of Worthington and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

A Bill establishing the water and sewer commission of the town of Dudley (Senate, No. 2060) (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.

Dudley,— water and sewer commission.

The petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2160) of John F. Keenan for legislation relative to recording the assignment of mortgages. To the committee on the Judiciary.

Mortgages,— assignment.

Petition (accompanied by bill, Senate, No. 2161) of Robert L. Hedlund for legislation to establish a sick leave bank for Judith Christianson, an employee of the Department of Transitional Assistance. To the committee on Public Service.

Judith Christianson,— sick leave.

Reports of Committees.

Swansea,—
tax
exemptions.

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 Steven S. Howitt, Patricia A. Haddad and Michael J. Rodrigues (by vote of the town) that the town of Swansea be authorized to provide certain tax exemptions to members of the volunteer fire department of said town. 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 Revenue. Sent to the Senate for concurrence.

Postal
fraud.

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 following petitions;

Petition (accompanied by bill) of Cheryl A. Coakley-Rivera for legislation to impose a penalty for the fraudulent use of postal addresses.

Missing
children,—
reporting.

Petition (accompanied by bill) of Marc Lombardo and others for legislation to establish a penalty for failure to report a missing child.

Severally to the committee on the Judiciary.

Historical
commissions,—
membership.

Petition (accompanied by bill) of Sarah K. Peake and others relative to the appointment of alternate members on local historical commissions. To the committee on Municipalities and Regional Government.

Janet
Ruggieri,—
sick leave
bank.

Joint petition (accompanied by bill) of David Paul Linsky and Richard J. Ross for legislation to establish a sick leave bank for Janet Ruggieri, an employee of the Massachusetts Department of Revenue. To the committee on Public Service.

MCAD,—
investigations.

Petition (accompanied by bill) of Timothy R. Madden for legislation to further regulate the investigation of cases filed with the Massachusetts Commission Against Discrimination. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Bradley of Hingham, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Dracut,—
precincts.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to a voting precinct in the town of Dracut (printed in House, No. 3958), be scheduled for consideration by the House.

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

Chicopee,—
precincts.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill relative to voting precincts in the city of Chicopee (House, No. 3956) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill creating a means for tracking the unmet need of individuals with developmental disabilities in the Commonwealth of Massachusetts (House, No. 76). Developmentally disabled,—needs.

By the same member, for the same committee, on a petition, a Bill to encourage responsibility, cost effectiveness and meaningful lives for individuals with disabilities (House, No. 984). Disabled persons.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for an investigation and study by a special commission relative to adolescents at risk (House, No. 979). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. At-risk adolescents,—study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to increase the Commonwealth's compliance with federal law meeting requirements of the Americans with Disabilities Act (House, No. 982, changed in line 14 by striking out the year "2011" and inserting in place thereof the year "2012"). Americans with Disabilities Act,—compliance.

By the same member, for the same committee, on a petition, a Bill for passage to independence (House, No. 983). Turning 22 program.

By the same member, for the same committee, on a petition, a Bill to support the transition to adult services for persons with disabilities (House, No. 985). Id.

By the same member, for the same committee, on a petition, a Bill relative to the Architectural Access Board (House, No. 2672). Architectural Access Board.

By the same member, for the same committee, on a petition, a Bill relative to notice to a child's and parent's counsel (House, No. 2680). Counsels,—notice.

By the same member, for the same committee, on House, No. 1859, a Bill relative to the closure of certain DDS facilities (House, No. 3964). DDS facilities,—closure.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill making investments in youth employment and educational pathways (House, No. 540). Youth,—employment and education.

By the same member, for the same committee, on a petition, a Bill further regulating workers' compensation (House, No. 542). Workers' compensation.

By the same member, for the same committee, on a petition, a Bill relative to renovation and repair contracts (House, No. 1392). Renovation and repair contracts.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to reckless endangerment of persons with disabilities (House, No. 980). Disabilities,—endangerment.

By the same member, for the same committee, on a petition, a Bill relative to court oversight of the Department of Children and Families' custodial decisions (House, No. 2679). Custody,—oversight.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the town of Natick to grant an additional license for the sale of Natick,—alcoholic beverages.

wine and malt beverages not to be drunk on the premises (House, No. 3868) [Local Approval Received].

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

Emergency Measure.

Michael Foti,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Michael Foti, an employee of the Department of Correction (see Senate, No. 2088), 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 20 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Bill enacted.

The engrossed Bill relative to students with disabilities in post-secondary education, employment and independent living (see House, No. 3720, amended) (which originated in the House), having been certified by the Clerk to 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.

Senate bills

Third reading bills.

Validating certain elections in the town of Dudley (Senate, No. 2048); and

Relative to certain affordable housing in the city of Taunton (Senate, No. 2062);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Id.

Relative to affiliate transfers (House, No. 3791);

Authorizing the Division of Capital Asset Management and maintenance to grant an easement in certain land in the town Hopkinton (House, No. 3909);

Authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715);

Conveying a certain parcel of land in the city of Holyoke to Holyoke Community College (House, No. 3849) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Richard Hughes, an employee of the Massachusetts Water Resources Authority (House, No. 3891);

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.

Third reading bill.

The Senate Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 1904, 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.

The Senate Bill providing for recall elections in the town of Northfield (Senate, No. 1959, amended); and

Second reading bills.

House bills

To promote open space residential development (House, No. 370);

Creating smoke free elderly housing units in the Commonwealth (House, No. 383);

Creating a regional school district planning committee (House, No. 1918, changed);

Providing for nonsmoking units in elderly housing (House, No. 2110);

Naming a certain bridge in the town of Dalton (House, No. 3638); and

Relative to the powers and duties of a regional school district (House, No. 3918);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to annual immunization against influenza for children (House, No. 582), was read a second time.

Second reading bill.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3948),— was adopted.

The substituted bill then was ordered to a third reading.

The Senate Bill relative to community housing and services (Senate, No. 1967, amended), reported by the committee on Bills in the Third reading to be correctly drawn, was read a third time.

Community housing.

After debate on the question on passing the bill to be engrossed, Ms. Spiliotis of Peabody moved to amend it by adding the following section:

“SECTION 2. The department of elder affairs shall study the establishment of a comprehensive elder affairs ombudsmen program to service the needs of elderly citizens. The study shall include, but not be limited to, a review of the current ombudsmen programs in place and the identification of elderly citizens not currently being serviced by an ombudsmen program who could benefit from such services. The study shall address the implementation of a comprehensive elder care ombudsmen program that covers persons age 60 and over, acting on either their own behalf or through any individual organization or government agency, utilizing the services of community-based programs, including but not limited to, the home care program established under chapter 19A of the General Laws, residents of long term care facilities, residents of nursing homes, residents of assisted living facilities, residents of supportive housing, and other programs as defined by the secretary of the executive office of elder affairs. The study shall review the effectiveness of existing ombudsmen programs, address ways to improve and expand on existing ombudsmen programs and outline the department’s current interaction with other state agencies providing a similar service to elders. The department shall prepare a report on the findings and recommendations together with recommendations for

Community
housing.

legislation necessary to implement those recommendations by filing the same with the clerks of the house of representatives and the senate, the chairs of the joint committee on elder affairs and the chairs of the house and senate committees on ways and means not later than October 15, 2012.”

The amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 202.

On the question on passing the bill to be engrossed, in concurrence, as amended, the sense of the House taken by yeas and nays, at the request of Mr. Honan of Boston; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 202 in Supplement.]

Therefore the bill (Senate, No. 1967, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (see House document numbered 3963, amended).

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at two o’clock P.M. (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.

Thursday, March 1, 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.

Petition.

Mr. O'Flaherty of Chelsea presented a petition (subject Joint Rule 12) of Eugene L. O'Flaherty (with the approval of the city council) relative to drag racing in the city of Chelsea; and the same was referred, under Rule 24, to the committee on Rules. Chelsea,—
drag racing.

Reports of Committees.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to providing feedback on educator certification tests (House, No. 1928). Educators,—
certification.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to the penalty for failure to timely report injuries under the workers' compensation act (House, No. 1405). Workers'
compensation,—
timely
reporting.

By the same member, for the same committee, on a petition, a Bill relative to strengthening the civil penalties of stop work orders under the workers' compensation statute (House, No. 2308). Workers'
compensation,—
penalties.

By the same member, for the same committee, on House, Nos. 2872 and 3159, a Bill to provide a safe workplace for employees of the Commonwealth (House, No. 2872). State
workers,—
safety.

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

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill to prohibit the use of certain liability waivers as against public policy (House, No. 2287). Employment,—
liability
waivers.

By the same member, for the same committee, on a petition, a Bill promoting fairness in private construction contracts (House, No. 3158). Construction
contracts.

By the same member, for the same committee, on a petition, a Bill relative to overtime for garagemen (House, No. 3392). Garagemen,—
overtime.

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

Engrossed Bills.

Engrossed bills
Validating certain elections in the town of Dudley (see Senate, No. 2048); and Bills
enacted.
Relative to certain affordable housing in the city of Taunton (see Senate, No. 2062);
(Which severally originated in the Senate);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

House bills

Third
reading
bills.

Authorizing the town of Hanover to establish a parks and recreation revolving fund (House, No. 3502) (its title having been changed by the committee on Bills in the Third Reading);

Relative to voting precincts in the city of Chicopee (House, No. 3956); and

Relative to a voting precinct in the town of Dracut (printed in House, No. 3958);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At eight minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Monday, March 5, 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.

Change in Membership of a Special Commission.

The Minority Leader announced that he had appointed Representative Ferguson of Holden as his designee (to replace Representative Poirier of North Attleborough) on the special commission established (under Chapter 313 of the Acts of 2010) to provide guidance and advice to the Governor, the General Court and the Secretary of Health and Human Services relative to current research on postpartum depression including, but not limited to, best and promising practices in the prevention, detection and treatment of postpartum depression and recommend policies, including legislation, to promote greater public awareness, screening and treatment of postpartum depression. Postpartum Depression Commission,— membership change.

Resolutions.

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

- Resolutions (filed by Mrs. Poirier of North Attleborough) in celebration of the one hundredth anniversary of Girl Scouts; Girl Scouts.
 - Resolutions (filed by Ms. Hogan of Stow) congratulating John P. Slattery III on achieving the rank of Eagle Scout with the Boy Scouts of America; John P. Slattery, III.
 - Resolutions (filed by Ms. Malia of Boston) honoring Barbara Leadholm for her outstanding service and dedication as Commissioner of the Department of Public Health; Barbara Leadholm.
 - Resolutions (filed by Ms. Peisch of Wellesley) honoring Christopher Zabriskie on receiving the Eagle Award of the Boys Scouts of America; Christopher Zabriskie.
 - Resolutions (filed by Mr. Pignatelli of Lenox) celebrating the eightieth anniversary season of Jacob's Pillow Dance Festival; Jacob's Pillow.
 - Resolutions (filed by Mr. Vallee of Franklin) honoring John (Gus) Reitinger for his commitment to our nation and community; and John (Gus) Reitinger.
 - Resolutions (filed by Mr. Vallee of Franklin) honoring Theresa (Terri) Reitinger for her commitment to our nation and community; Theresa (Terri) Reitinger.
- 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.

Women in criminal justice system,— study.

By Ms. Khan of Newton, an additional petition (having been deposited with the Clerk previous to five o'clock in the afternoon on Wednesday, January 20, 2011) (accompanied by order, House, No. 3973) of Kay Khan relative to the appointment of a special committee of the House to make an investigation and study concerning women in the criminal justice system, was presented; and it was referred, under Rule 24 and Joint Rule 13, to the committee on Children, Families and Persons with Disabilities. Sent to the Senate for concurrence.

Springfield,— MCAS.

Mr. Curran of Springfield presented a petition (accompanied by bill, House, No. 3974) of Sean Curran and others (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to postpone taking the 2011-2012 MCAS tests for students of said city; and the same was referred to the committee on Education. Sent to the Senate for concurrence.

Papers from the Senate.

Bills

Erving,— liquor license.

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2093, amended in section 1, in lines 2 and 3, by striking out the words “a license for the sale of all alcoholic beverages not to be drunk on the premises to Weatherheads” and inserting in place thereof the words “to Ralph Semb a license for the sale of all alcoholic beverages not to be drunk on the premises”) (on a petition); and

HIV,— screening.

To increase routine screening for HIV (Senate, No. 2158, amended in lines 4, 11 and 16 by striking out the following “HTVL-III” and inserting in place thereof, in each instance, the following “HIV”; in lines 17 and 18 by striking out the following: “; and ‘HTLV-III and antibody or antigen test’ shall mean a licensed screening antibody test for human T-cell lymphotropic virus type III”; and by adding the following paragraph:

“This section shall not apply to premortem and postmortem serological testing for purposes of donation under chapter 113A.”) (on Senate bill No. 1997);

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.

Artificial trans fats.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1164) of Michael F. Rush for legislation relative to food containing artificial trans fats,— and recommending the same be referred to the committee on the Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Reports of Committees.

Maureen Shaw,— accidental death benefit.

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 Martin J. Walsh and others

relative to the payment of an accidental death benefit from the State-Boston Retirement Board to Maureen Shaw.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid (House, No. 3967). Cheryl A. Cole,—sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for a certain employee of the Department of Developmental Services (House, No. 3969). Janet Ochner,—sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick bank for Mary M. Stanton (House, No. 3972). Mary M. Stanton,—sick leave.

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; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to regulating the practice of human body piercing (House, No. 584). Human body piercing.

By the same member, for the same committee, on Senate, No. 1087 and House, No. 598, a Bill to improve health care access (House, No. 598). Health care,—outreach.

By the same member, for the same committee, on a petition, a Bill to eliminate antiquated hospital bed de-licensure rules (House, No. 606). Hospital beds.

By the same member, for the same committee, on Senate, No. 1126 and House, No. 623, a Bill relative to the Massachusetts Alzheimer's project (House, No. 623). Alzheimer's project.

By the same member, for the same committee, on a petition, a Bill relative to developing an HIT revolving loan program (House, No. 628). Loan fund.

By the same member, for the same committee, on Senate, No. 1099 and House, No. 1472, a Bill relative to medication technician (House, No. 1472). Medication technicians.

By the same member, for the same committee, on House, Nos. 1492 and 2355, a Bill creating a nursing advisory board (House, No. 1492). Nursing advisors.

By the same member, for the same committee, on House, Nos. 1513 and 2361, a Bill relative to healthy cosmetics (House, No. 1513). Cosmetics.

By the same member, for the same committee, on a petition, a Bill relative to firefighters (House, No. 1514). Firefighters.

By the same member, for the same committee, on Senate, No. 280 and House, Nos. 1521 and 3603, a Bill to ensure transparency in prescription drug practices in the Commonwealth (House, No. 1521). Prescription drugs,—pricing.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to reducing the wait time for medical equipment for children with special health care needs (House, No. 1523). Medical equipment,—study.

MassHealth applications.

By the same member, for the same committee, on a petition, a Bill regarding MassHealth applications (House, No. 1530).

Cancer screenings.

By the same member, for the same committee, on a petition, a Bill ensuring access to life-saving colorectal cancer screenings (House, No. 1543).

Pharmacy,— benefits.

By the same member, for the same committee, on a petition, a Bill relative to the definition of a pharmacy (House, No. 2362).

Death benefits.

By the same member, for the same committee, on a petition, a Bill relative to death benefit claims (House, No. 2373).

Health care providers,— vaccines.

By the same member, for the same committee, on Senate, No. 1084 and House, No. 2386, a Bill requiring the Department of Public Health to implement a provider choice system for certain vaccines (House, No. 2386).

Tobacco addiction,— health care.

By the same member, for the same committee, on Senate, No. 1075 and House, No. 2452, a Bill to curtail tobacco addiction and related health care costs (House, No. 2452).

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

Workplace bullying.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on Senate, No. 916 and House, Nos. 2309 and 2310, a Bill addressing workplace bullying, mobbing and harassment, without regard to protected class status (House, No. 2310).

Trash,— transportation.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to the removal or transportation of trash (House, No. 1546).

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 House bills be scheduled for consideration by the House:

Epinephrine,— schools.

Relative to access to epinephrine in schools (House, No. 594), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3959),— pending;

Hemophilia Advisory Committee.

Relative to the Hemophilia Advisory Committee (House, No. 1526), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3960),— pending;

Deceased persons,— transportation.

Relative to the transporting of deceased persons (House, No. 1545), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3961),— pending; and

Insurance company rebates.

Relative to insurance company rebates (House, No. 3776), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3930),— pending.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

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

Senate bills

Authorizing the town of Kingston to install, finance and operate wind energy facilities (Senate, No. 1915) [Local Approval Received]; and Kingston,—wind energy.

Relative to medical emergency response plans for schools (Senate, No. 2132, amended); Schools,—medical response plans.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Catherine Blais, an employee of the Trial Court (see House, No. 3894), 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. Catherine Blais,—sick leave bank.

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 5 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Michael Foti, an employee of the Department of Correction (see Senate, No. 2088) (which originated in the Senate), 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. Bill enacted.

The engrossed Bill relative to the Division of Transportation in the town of Brookline (see House, No. 3920) (which originated in the House), 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. Id.

Orders of the Day.

House bills

Authorizing the town of Sherborn to enter into an employment contract for the position of police chief of the town of Sherborn (House, No. 3487); and Third reading bills.

Authorizing the town of Scituate to continue the employment of the chief of police, Brian E. Stewart (House, No. 3834) (its title having been changed by the committee on Bills in the Third Reading);

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.

Recess.

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before twelve o'clock noon; and at six minutes before twelve o'clock, the House was called to order with Mr. Donato in the Chair.

*Engrossed Bills.*Bill
enacted.

The engrossed Bill relative to a voting precinct in the town of Dracut (see House bill printed in House, No. 3958) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill relative to voting precincts in the city of Chicopee (see House, No. 3956) (which originated in the House), 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.

*Order.*Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At five minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, March 7, 2012.

Met according to adjournment at eleven o'clock A.M., 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 financing improvements to the Commonwealth's transportation system (House, No. 3979), was filed in the office of the Clerk on Tuesday, March 6, 2012. Transportation system,—improvements.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Transportation. Sent to the Senate for concurrence.

Statement Concerning Representative O'Day of West Boylston.

A statement of Mr. Rushing of Boston concerning Mr. O'Day of West Boylston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative O'Day of West Boylston, is unable to be present in the House Chamber for today's sitting due to his father falling ill last evening. His missing of roll calls today is due entirely to the reason stated. Statement concerning Mr. O'Day of West Boylston.

Guests of the House.

During the session, Mr. Costello of Newburyport took the Chair, declared a brief recess, and introduced Lane Glenn, President of Northern Essex Community College. Mr. Costello then read and presented to President Glenn Resolutions of the House (adopted February 23, 2012) recognizing the fiftieth anniversary of Northern Essex Community College. He was the guest of Messrs. Costello, Campbell of Methuen, Dempsey of Haverhill, Devers of Lawrence and Torrisi of North Andover. Northern Essex Community College.

Resolutions.

Resolutions (filed with the Clerk by Mr. Vieira of Falmouth) congratulating Rebecca Silva, of Falmouth on becoming the first female district commander in Massachusetts VFW history, were referred, under Rule 85, to the committee on Rules. Rebecca Silva.

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

*Petition.*Wireless
devices,—
location.

Mrs. O'Connell of Taunton presented a petition (subject Joint Rule 12) of Shaunna L. O'Connell and others relative to wireless communication device location information; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.*Bourne,—
charter.

A Bill amending the charter of the town of Bourne (Senate, No. 2114, amended in section 1, in lines 344 and 345, by striking out the paragraph in those lines and inserting in place thereof the following paragraph:

“(d) The department of integrated solid waste management shall include the solid waste functions approved under the site assignment administered by the board of health and in accordance with the policies established by the board of selectmen. The department’s functions shall also include the implementation of additional solid waste functions as approved by the board of selectmen and consistent with the site assignment.”; and by adding the following section:

“SECTION 2. This act shall take effect upon its passage.”) (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.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Sutton,—
land
conveyance.

Petition (accompanied by bill, Senate, No. 2172) of Richard T. Moore, Paul K. Frost and Ryan C. Fattman for legislation to convey land in the town of Sutton. To the committee on the State Administration and Regulatory Oversight.

Anthony
DiDonato
Highway.

Petition (accompanied by bill, Senate, No. 2169) of Richard T. Moore, Kevin J. Kuros and Peter J. Durant for legislation to designate a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway;

Oxford,—
Michael
Bartlett.

Petition (accompanied by bill, Senate, No. 2170) of Richard T. Moore for legislation to designate the birthplace of Michael Bartlett in the town of Oxford; and

Motor
vehicles,—
idling.

Petition (accompanied by bill, Senate, No. 2171) of Donna Whalen and the fifth grade at Brickett Elementary School for legislation relative to vehicle idling;

Severally to the committee on Transportation.

*Reports of Committees.*Chelsea,—
drag
racing.

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 Eugene L. O'Flaherty (with the approval of the city council) relative to drag racing in the city of Chelsea. 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 Transportation. Sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1501) of Elizabeth A. Malia and others for legislation to provide for primary and preventative health care services for certain children in the Commonwealth,— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Children,—
preventative
care.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 3953) of Patricia A. Haddad, Michael J. Rodrigues and other members of the General Court (by vote of the town) relative to the development of the Meditech project on a certain parcel of land located in the town of Freetown,— and recommending that the same be referred to the committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Freetown,—
Meditech
project.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill regarding spouses as caregivers (House, No. 46).

Caregivers,—
spouses.

By the same member, for the same committee, on a petition, a Bill ensuring access to basic health care for children and young adults (House, No. 63).

Health care,—
access.

By the same member, for the same committee, on a petition, a Bill relative to increasing consumer access to licensed marriage and family therapists (House, No. 68).

Marriage
and family
therapists.

By the same member, for the same committee, on a petition, a Bill ensuring equal access to services for all residents of the Commonwealth (House, No. 74).

Services,—
access.

By the same member, for the same committee, on a petition, a Bill providing for the public disclosure of quality indicators for the developmentally disabled (House, No. 975).

Disabled,—
indicators.

By the same member, for the same committee, on a petition, a Bill establishing an independent office of quality assurance for developmentally disabled persons (House, No. 2683).

Developmental
disabilities.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the Department of Social Services (House, No. 996).

Domestic
violence
programs.

By the same member, for the same committee, on a petition, a Bill relative to court review of Department of Children and Families case plans (House, No. 2678).

Case plans,—
court
review.

By the same member, for the same committee, on a petition, a Bill relative to nonviolent discipline (House, No. 3262).

Parenting,—
discipline.

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

Schools,—
food
products.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to school served food products (House, No. 69).

Janet
Ruggieri,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Janet Ruggieri, an employee of the Massachusetts Department of Revenue (House, No. 3976).

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

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing the city of Fitchburg to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3738) (which originated in the House), 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.

Recess.

Recess.

At one minute after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at eleven minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Supplemental
appropriations.

The engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2112), which had been returned by His Excellency the Governor (under the provisions of Section 5 of Article 63 of the Amendments to the Constitution) with his disapproval or reduction of certain items and sections contained therein (for message, see Senate, No. 2146), came from the Senate with the endorsement that said branch had passed items 8910-0105, 8910-8200, 8910-8300 and 8910-8700 contained in section 2, notwithstanding the reductions; and sections 36 and 37, notwithstanding the objections of the Governor.

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

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Kulik of Worthington, the following items and sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter 1, Section I, Article II of the Constitution as follows:

Item 8910-0105 (contained in section 2) (Worcester County Sheriff's Office), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$693,920 to \$493,920.

After remarks the question on passing said item, in concurrence, notwithstanding the reduction by His Excellency the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Worcester
County
Sheriff's
Office
item 8910-0105
stands,—
yea and nay
No. 203.

[See Yea and Nay No. 203 in Supplement.]

Therefore item 8910-0105 (contained in section 2) was passed, in concurrence, notwithstanding the reduction by the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Item 8910-8200 (contained in section 2) (Barnstable County Sheriff's Office), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$2,000,218 to \$1,000,109.

After remarks the question on passing said item, in concurrence, notwithstanding the reduction by His Excellency the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Barnstable
County
Sheriff's
Office
item 8910-8200
stands,—
yea and nay
No. 204.

[See Yea and Nay No. 204 in Supplement.]

Therefore the item 8910-8200 (contained in section 2) was passed, in concurrence, notwithstanding the reduction by the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Item 8910-8300 (contained in section 2) (Bristol County Sheriff's Office), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$1,904,190 to \$952,094.

After remarks the question on passing said item, in concurrence, notwithstanding the reduction by His Excellency the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 151 members voted in the affirmative and 2 in the negative.

Bristol
County
Sheriff's
Office
item 8910-8300
stands,—
yea and nay
No. 205.

[See Yea and Nay No. 205 in Supplement.]

Therefore the item 8910-8300 (contained in section 2) was passed, in concurrence, notwithstanding the reduction by the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Item 8910-8700 (contained in section 2) (Plymouth County Sheriff's Office), which had been reduced by the Governor, was considered.

The Governor had reduced said item from \$1,743,756 to \$871,878.

After remarks the question on being passing said item, in concurrence, notwithstanding the reduction by His Excellency the Governor, was determined by yeas and nays, as required by the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Plymouth
County
Sheriff's
Office
item 8910-8700
stands,—
yea and nay
No. 206.

[See Yea and Nay No. 206 in Supplement.]

Therefore the item 8910-8700 (contained in section 2) was passed, in concurrence, notwithstanding the reduction by the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Bristol
County
Sheriff's
Office
section 36
stands,—
yea and nay
No. 207.

Section 36 (Bristol County Sheriff's Office), which had been vetoed by the Governor, then was considered.

After remarks the question on being passing said section, in concurrence, notwithstanding the objections of His Excellency the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 207 in Supplement.]

Therefore section 36 was passed, in concurrence, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Section 37 (Plymouth County Sheriff's Office), which had been vetoed by the Governor, then was considered.

Plymouth
County
Sheriff's
Office
section 37
stands,—
yea and nay
No. 208.

After remarks the question on being passing said section, in concurrence, notwithstanding the objections of His Excellency the Governor, the sense of the House was determined by yeas and nays, as required by the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 208 in Supplement.]

Therefore section 37 was passed, in concurrence, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative).

Tiered and
selective
network
health
plans.

The engrossed Bill relative to tiered and selective network health plans (see Senate, No. 2148) (being section 17 contained in the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects), which had been returned to the Senate by His Excellency the Governor (pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution) (see Senate, No. 2112) [for message, see Senate, No. 2147], came from the Senate with the endorsement that said branch had rejected the amendment recommended by His Excellency the Governor. The bill bore the further endorsement that it had been amended by the Senate by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Chapter 176J of the General Laws is hereby amended by inserting after section 11 the following section:-

Section 11A. (a) For an insured member who (1) is receiving an active course of medical treatment from a health care provider for a serious disease, including but not limited to, cancer or cystic fibrosis, that if disrupted in the course of medical treatment would pose an undue hardship to the patient and (2)(i) began this active course of treatment before being enrolled in a reduced or selective network plan where the provider is not part of the reduced or selective network or (ii) began this active course of treatment before being enrolled in a tiered network plan where the provider is in the highest cost-sharing tier, the carrier shall provide coverage for those medically necessary and covered services that are part of that active course of treatment provided by that health care provider, to the extent required by subsection (b).

(b) A carrier to which subsection (a) applies shall cover the health care provider's services for the duration of the active course of treatment during the plan year, if (1) the insured's employer offers the insured only a choice of reduced or selective network plans in which the health care provider is not part of any of the offered reduced or selective networks, or a choice of tiered network plans in which the health care provider is in the highest cost-sharing tier; (2) that health care provider is a comprehensive cancer center, pediatric hospital or pediatric specialty unit as defined in section 1 of chapter 118G; and (3) that health care provider is providing the insured with an active course of medical treatment that is not available from another provider in the network of the insured's plan.

(c) For services provided under this section from a provider that is not in the network of the insured's plan, patient cost-sharing shall be at the lowest cost-sharing level applicable to those services in the plan, and reimbursement shall be based on median in-network rates of the specific health care provider in that carrier's private plans in a manner consistent with data filed by that carrier with the division of health care finance and policy; provided, however, that if the specific health care provider does not participate in any other plan of the carrier, then based on negotiated rates. For services provided under this section by a provider in the highest cost-sharing tier of a tiered network plan, patient cost-sharing shall be based on the second-highest cost-sharing tier in that plan.

(d) The commissioner shall adopt regulations to carry out this section.

SECTION 2. Said chapter 176J is hereby further amended by adding the following 2 sections:—

Section 14. If a medically necessary and covered service is not available to a member within the carrier's provider network, the carrier shall cover the services out-of-network, for as long as the service is unavailable in-network.

Section 15. An insurer offering a tiered network plan shall clearly and conspicuously indicate, in all promotional and agreement materials, the cost-sharing differences for enrollees in the various tiers. The commissioner shall adopt regulations to carry out this section.

SECTION 3. Notwithstanding any general or special law, rule or regulation to the contrary, the division of insurance shall conduct a review of the network adequacy and cost and quality effectiveness of insurance products under section 11 of chapter 176J of the General Laws for the health care needs of children and the health care needs of cancer patients, and shall submit a written report to the house and senate committees on ways and means and the joint committee on health care financing not later than December 31, 2012. The division shall also adopt regulations to address health plan network adequacy, including access to pediatric and cancer services.

SECTION 4. Notwithstanding subsection (b) of section 11A of chapter 176J of the General Laws, an insured member who, before the effective date of this act, began an active course of medical treatment from a health care provider that is a comprehensive cancer center, pediatric hospital or pediatric specialty unit as defined in section 1 of chapter 118G of the General Laws for a serious disease, including but

Tiered and selective network health plans.

not limited to, cancer or cystic fibrosis, that if disrupted in the course of medical treatment would pose an undue hardship to the patient and (2)(i) began this active course of treatment before being enrolled in a reduced or selective network plan where the provider is not part of the reduced or selective network or (ii) began this active course of treatment before being enrolled in a tiered network plan where the provider is in the highest cost-sharing tier, the carrier shall provide coverage for those medically necessary and covered services that are part of that active course of treatment provided by that health care provider until April 30, 2013 at the patient cost-sharing levels and reimbursement rates under subsection (c) of said section 11A of the General Laws.

SECTION 5. This act shall take effect 45 days after its passage or upon adoption of regulations by the division of insurance, whichever occurs first.”

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) 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 all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 3981. 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.

Retirement,—nonprofit organizations.

The House Bill providing retirement options for nonprofit organizations (House, No. 3754), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 4, inserting after the word “Code,” the words “that are established, organized or chartered under the laws of the commonwealth and doing business in the commonwealth”, and, in line 40, striking out the word “provision” and inserting in place thereof the words “general or special laws”; and by adding the following four sections:

“SECTION 2. This act shall not apply to not-for-profit employers that sponsor, administer or offer a defined contribution plan, defined benefit plan, deferred compensation plan or other tax-deferred retirement savings plan to their employees as of November 1, 2011.

SECTION 3. Section 2 is hereby repealed.

SECTION 4. Section 3 shall take effect on January 1, 2014.

SECTION 5. Notwithstanding any general or special law or rule or regulation to the contrary, small nonprofits doing business in the commonwealth may aggregate for the purposes of offering a pension.”

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

Mr. Dempsey of Haverhill then moved that House concur with the Senate in its amendments in section 1 with a further amendment by striking out the words “that are established, organized or chartered under the laws of the commonwealth and doing business in the commonwealth” (inserted by amendment by the Senate) and inserting in place thereof the following: “that are established, organized or char-

tered under the laws of the commonwealth and doing business in the commonwealth and employing not more than 20 persons.”. The further amendment was adopted.

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

Orders of the Day.

Senate Bill relative to the town clerk in the town of Tewksbury (Senate, No. 2104), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Third reading bill.

House bills

Relative to the recall of elected officers of the town of Chelmsford (House, No. 3728) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Relative to the charter of the town of Westborough (House, No. 3800) (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.

Senate bills

Authorizing the town of Kingston to install, finance and operate wind energy facilities (Senate, No. 1915); and Second reading bills.

Relative to medical emergency response plans for schools (Senate, No. 2132, amended); and

House bills

Establishing a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid (House, No. 3967);

Establishing a sick leave bank for a certain employee of the Department of Developmental Services (House, No. 3969); and

Establishing a sick bank for Mary M. Stanton (House, No. 3972);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to access to epinephrine in schools (House, No. 594), was read a second time. Second reading bill amended.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3959),— was adopted.

The substituted bill then was ordered to a third reading.

The House Bill relative to the hemophilia advisory committee (House, No. 1526), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3960),— was adopted.

The substituted bill then was ordered to a third reading.

Second reading
bill amended.

The House Bill relative to the transporting of deceased persons (House, No. 1545), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3961),— was adopted.

The substituted bill then was ordered to a third reading.

Westwood,—
charter.

The House Bill providing for a charter for the town of Westwood (House, No. 3763), 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, Mr. McMurry of Dedham moved to amend it in section 2, in lines 38, 39 and 40, by striking out section 2-2-1 contained in those lines and inserting in place thereof the following:

“Section 2-2-1. The annual town election shall be held on the last Tuesday in April of each year for the election of town officers and balloting on all matters which are to be determined by official ballot.”

The amendment was adopted; and the bill (House, No. 3763, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Division of
Banks,—
licensing.

The House Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3911), 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, Mr. Costello of Newburyport moved to amend it in section 1, in line 9; in section 2, in line 22; in section 4, in line 40; in section 5, in line 54; in section 6, in line 68, in section 8, in line 88; in section 9, in line 102; in section 12, in line 123; and in section 14, in line 139, by inserting after the word “checks”, in each instance, the following: “by the Department of Criminal Justice Information Services pursuant to section 172 of chapter 6 and the federal Bureau of Investigation”.

The amendments were adopted; and the bill (House, No. 3911, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-two minutes before three o'clock P.M. (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.

Thursday, March 8, 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 disqualifying certain persons subject to G.L. c. 32, § 91(b) from receiving unemployment insurance benefits (House, No. 3980), was filed in the office of the Clerk on Wednesday, March 7, 2012. Unemployment insurance benefits.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Public Service. Sent to the Senate for concurrence.

Communication.

A communication from the Massachusetts District Attorneys Association (under item 0340-2100 contained in Section 2 of chapter 68 of the Acts of 2011) submitting a report detailing all district attorneys' offices' use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws, was placed on file. Drug forfeiture funds.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset and other members of the House) congratulating the Bristol County Agricultural High School on the occasion of its one hundredth anniversary; Bristol County Agricultural High School.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Joseph Roberto on receiving the Eagle Scout Award of the Boy Scouts of America; Joseph Roberto.

Resolutions (filed by Mr. Kuros of Uxbridge) congratulating Irene Beresik on the occasion of her ninetieth birthday; and Irene Beresik.

Resolutions (filed by Representatives O'Connell of Taunton, Haddad of Somerset and Orrall of Lakeville) congratulating Congregation Agudath Achim on the occasion of its centennial anniversary; Congregation Agudath Achim.

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

Reports of Committees.

Study,—
suicide.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Resolve relative to the study on methods to reduce incidents of suicide (House, No. 2900).

Providers,—
cost
effectiveness.

By the same member, for the same committee, on a petition, a Bill to reduce healthcare costs by promoting provider education through academic detailing (House, No. 3367).

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

Name
changes,—
certificates.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to security of name changes and requests (House, No. 2892). Read; and referred, under Rule 33, to the committee on Ways and Means.

Athletic
programs,—
safety.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill clarifying participation in athletic safety programs (House, No. 2347, changed in line 5 by striking out the figure “4” and inserting in place thereof the figure “2”).

Condomini-
ums,—
sanitary code.

By the same member, for the same committee, on a petition, a Bill relative to condominium sanitary code enforcement (House, No. 3297).

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 House bills be scheduled for consideration by the House:

Middlebor-
ough,—
consultants.

Authorizing the board of selectmen of the town of Middleborough to impose reasonable fees for the employment of outside consultants in connection with the review of earth removal applications (Senate, No. 1949) [Local Approval Received];

Richmond.

Relative to the membership of the conservation commission of the town of Richmond (House, No. 3824) [Local Approval Received];

Woburn,—
alcoholic
beverages.

Authorizing the city of Woburn to place a certain question relative to the sale of alcoholic beverages on the State election ballot (House, No. 3892) [Local Approval Received]; and

Janet
Ruggieri,—
sick leave.

Establishing a sick leave bank for Janet Ruggieri, an employee of the Massachusetts Department of Revenue (House, No. 3976);

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.

Orders of the Day.

House bills

Third
reading
bills.

Establishing a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid (House, No. 3967);

Establishing a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services (House, No. 3969) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Mary N. Stanton, an employee of the Executive Office of Health and Human Services (House, No. 3972) (its title having been changed by the committee on Bills in the Third Reading);

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.

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 fourteen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Monday, March 12, 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.

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

Matthew Gagnon.

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

John Kelly.

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

Ian McCurry.

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

Francophonie Day.

Resolutions (filed by Ms. Forry of Boston) celebrating the International Day of Francophonie;

Rita Ambrose.

Resolutions (filed by Ms. Garlick of Needham) congratulating Rita Ambrose on the occasion of her ninety fourth birthday;

Joseph Aiello.

Resolutions (filed by Ms. Hogan of Stow) congratulating Joseph Aiello of Hudson for being named a chevalier of the French Legion of Honor;

James F. Corcoran.

Resolutions (filed by Ms. Hogan of Stow) congratulating Chief James F. Corcoran on the occasion of his retirement from the Maynard Police Department; and

Pembroke,—anniversary.

Resolutions (filed by Mr. Webster of Pembroke) celebrating the town of Pembroke on the occasion of its three hundredth 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 Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

Adoption information,—release.

The Senate Bill further regulating the release of information concerning adoption (Senate, No. 2163) (on Senate bill No. 52), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Probate and trust codes.

The Senate Bill further regulating the probate code and establishing a trust code (Senate, No. 2128, amended by inserting after section 22 the following section:

“SECTION 22A. Subsection (a) of section 3-715 of said chapter 190B is hereby amended by inserting after paragraph 23, the following paragraph:—

(23½) sell, lease or encumber to an arm's length third party any real estate of the estate, or an interest in that real estate, for cash, credit or for part cash and part credit, with or without security for unpaid balances and whether the personal representative has been appointed formally or informally; the sale, lease or encumbrance shall be conclusive notwithstanding section 3-302 or any contest of the informal probate proceeding, provided that: (i) if the decedent died without a will, a license has been issued under chapter 202; or (ii) if the decedent died with a will, either: (a) the will, probated formally or informally, empowered the personal representative to sell, lease or encumber that real estate or an interest in that real estate, or (b) a license has been issued under chapter 202;"; by inserting after section 23 the following section:

"SECTION 23A. Section 5-101 of said chapter 190B, as so appearing, is hereby amended by striking out the definition of 'Nursing facility' and inserting in place thereof the following definition:—

(15) 'Nursing facility', an institution or a distinct part of an institution which is primarily engaged in providing to residents: (i) skilled nursing care and related services for residents who require medical or nursing care; (ii) rehabilitation services for the rehabilitation of injured, disabled or sick persons; or (iii) on a regular basis, health-related care and services to individuals who because of their mental or physical condition require care and services, above the level of room and board, which can be made available to that individual only through institutional facilities that are not primarily a mental health facility or mental retardation facility; provided however, that the term nursing facility shall not apply with regard to the placement or transfer of a patient to a facility that is (i) licensed by the department of public health, under section 51 of chapter 111, as a long term acute care hospital or inpatient rehabilitation facility; (ii) licensed by the department of public health, under section 71 of chapter 111, as a rest home; or (iii) licensed or certified as an assisted living residence by the executive office of elder affairs under 651 CMR 12.00 et seq."; in section 54, in line 554, by inserting after the word "property" the words "by will"; in section 58, in line 1516, by striking out the following: "for the filing of petition for adoption, \$100;"; in lines 1544 and 1546, by striking out, in each instance, the word "adoption", in line 1559, by inserting after the word "representative," the words "for the filing of a statement of voluntary administration," in line 1564, by striking out the words "for statement of voluntary administration," and, in line 1578, by inserting after the word "support" the word "adoption" (on Senate bill No. 2034), passed to be engrossed by the Senate, was read.

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

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 Jay R. Kaufman, Kathi-Anne Reinstein and others for legislation to authorize the Registrar of Motor Vehicles to issue reflective decals indicating that the driver of a vehicle may be the holder of a junior operator's license. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the report was

Junior
operators,—
license
decals.

Junior operators,— license decals.

considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Driving,— mobile telephones.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill requiring the hands-free use of mobile telephones while driving (House, No. 3938),— and recommending the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

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

Easton,— mobile homes.

Providing for the establishment and administration of rent regulation and control of evictions in mobile home park accommodations in the town of Easton (House, No. 3793) [Local Approval Received];

Natick,— liquor license.

Authorizing the town of Natick to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3868) [Local Approval received]; and

Springfield,— Unifirst Corporation.

Authorizing the city of Springfield to convey certain park land and to grant a license agreement over certain park land to Unifirst Corporation (House, No. 3874, changed) [Local Approval Received];

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

Disabled,— civil rights.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a joint petition, a Bill affirming inclusion of individuals with disabilities within civil rights protections and nondiscrimination provisions in the Commonwealth of Massachusetts (House, No. 1865). Read; and referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

Abuse investigations.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill providing for random reviews of abuse investigations conducted by the Department of Mental Retardation (House, No. 81).

Autism spectrum disorders.

By the same member, for the same committee, on a petition, a Bill to support and increase the number of qualified providers of intensive intervention providers for children with autism spectrum disorders (House, No. 1856).

Technology,— disabled and seniors.

By the same member, for the same committee, on a petition, a Bill relative to living at home with use of technology for people with disabilities and seniors (House, No. 2682).

Autism,— pilot program.

By the same member, for the same committee, on a petition, a Bill establishing a pilot program for adults with Asperger syndrome and autism (House, No. 3104).

Youth development.

By the same member, for the same committee, on a petition, a Bill to establish an office of youth development (House, No. 3106).

By the same member, for the same committee, on a petition, a Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 3527). Intellectual disability,—define.

By the same member, for the same committee, on House, No. 83, a Bill regarding continuity of care for children and their eligible parents (House, No. 3984). Continuity of care.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for a study by the Executive Office of Health and Human Services relative to nonprofit group homes (House, No. 82). Nonprofit group homes,—study.

By the same member, for the same committee, on a petition, a Bill to provide an income tax exemption for families caring for their elderly relatives at home (House, No. 2670). Caregivers,—tax exemption.

By the same member, for the same committee, on a petition, a Bill relative to providing a high impact program for long-term economic success (House, No. 2675). Families,—economic success.

By the same member, for the same committee, on a petition, a Bill to promote employment for people with disabilities (House, No. 3595). Disabilities,—employment.

By the same member, for the same committee, on House, No. 2677, a Bill relative to caseworkers at the Department of Youth Services (House, No. 3985). Caseworkers,—assault.

By the same member, for the same committee, on Senate, No. 28 and House, No. 541, a Bill relative to improving quality in early education and care by family child care providers (House, No. 3986). Early education and care.

By Mr. Binienda of Worcester, for the committee on Rules, on a joint petition, a Bill relative to a certain parcel of land in the town of Freetown (House, No. 3953) [Local Approval Received]. Freetown,—land.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to the definition of mandated reporters (House, No. 78). Mandated reporters,—definition.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to Mattapoisett aquaculture license fees (House, No. 3833) [Local Approval Received]. Mattapoisett,—aquaculture licenses.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill creating the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845) [Local Approval Received]. Dennis,—Melpet Farm Stable.

By the same member, for the same committee, on a joint petition, a Bill expanding the Town Forest Committee of the town of Natick from Three (3) to Five (5) members (House, No. 3869) [Local Approval Received]. Natick,—town forest committee.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Natick to lease certain town-owned property (House, No. 3870) [Local Approval Received]. Natick,—lease.

Natick,—
lease.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Natick to lease certain town-owned property at 20 Middlesex Avenue (House, No. 3871) [Local Approval Received].

Chelmsford,—
land.

By the same member, for the same committee, on a joint petition, a Bill relative to leasing Sunny Meadow Farm in the town of Chelmsford (House, No. 3881) [Local Approval Received].

Old Colony
High
School,—
debt.

By the same member, for the same committee, on a petition, a Bill validating the proceedings relating to the authorization of debt by the Old Colony Regional Vocational Technical High School District (House, No. 3914).

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

Emergency Measure.

Network
health
plans.

The engrossed Bill relative to tiered and selective network health plans (see Senate, No. 2148, 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 6 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Relative to community housing and services (see Senate, No. 1967, amended) (which originated in the Senate);

Relative to the town clerk in the town of Tewksbury (see Senate, No. 2104);

(Which severally originated in the Senate); and

Providing retirement options for nonprofit organizations (see House, No. 3754, amended) (which 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 it were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The House Bill relative to authorizing the town of Aquinnah to refund tax payments and accrued interest from improperly assessed taxation in prior fiscal years 2005 and 2006 (House, No. 3708), 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. Sent to the Senate for concurrence.

Janet
Ruggieri,—
sick leave
bank,

The House Bill establishing a sick leave bank for Janet Ruggieri, an employee of the Department of Revenue (House, No. 3976) (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.

Pending the question on passing the bill to be engrossed, Mr. Linsky of Natick moved to amend it by inserting before the enacting clause 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 department of revenue, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 3976) 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 sixteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.

Wednesday, March 14, 2012.

Joint
convention.

At four minutes past one o'clock P.M., the two branches met in

JOINT SESSION

and were called to order by the Honorable Therese Murray, President of the Senate.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Ms. Creem, at five minutes past one o'clock P.M., the joint session was recessed until one o'clock P.M., on Wednesday, June 6, 2012; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

Thursday, March 15, 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.

Appointment of the Minority Leader.

A communication was received from the Minority Leader announcing that he had appointed Representative Ross of Attleboro as his designee to serve on the Commission for Public Housing Sustainability and Reform established (under Executive Order 539) to ensure the long-term sustainability and preservation of public housing for the benefit of current and future residents of the Commonwealth. Public Housing Sustainability and Reform Commission.

Resolutions.

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

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Ryan M. Bakinowski upon his elevation to the rank of Eagle Scout; Ryan M. Bakinowski.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Kyle C. March upon his elevation to the rank of Eagle Scout; Kyle C. March.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Henry L. Mulcahy upon his elevation to the rank of Eagle Scout; Henry L. Mulcahy.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Mark D. Norman upon his elevation to the rank of Eagle Scout; and Mark D. Norman.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Kevin O'Sullivan upon his elevation to the rank of Eagle Scout; Kevin O'Sullivan.

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 Mr. Smizik of Brookline, 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 Dempsey of Haverhill and Senator Baddour, a joint petition (accompanied by bill, House, No. 3990) of Brian S. Dempsey (with the approval of the mayor and city council) for legislation to authorize the appointment of William M. Cowl, Jr., as a fire-fighter in the city of Haverhill notwithstanding the maximum age requirement. To the committee on Public Service. Haverhill,—
William M. Cowl, Jr.

By Mr. Diehl of Whitman, a petition (accompanied by bill, House, No. 3991) of Geoff Diehl (by vote of the town) relative to tax titles in the town of East Bridgewater. To the committee on Revenue. East
Bridgewater,—
tax titles.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Armed forces,—
employment.

By Messrs. Brodeur of Melrose and Parisella of Beverly, a petition (subject to Joint Rule 12) of Paul A. Brodeur, Jerald A. Parisella and others relative to employment for members of the armed forces returning from active duty.

Karen
Langley,—
sick leave.

By Representative Campbell of Methuen and Senator Baddour, a joint petition (subject to Joint Rule 12) of Linda Dean Campbell and Steven A. Baddour for legislation to establish a sick leave bank for Karen Langley, an employee of the Executive Office of Health and Human Services.

Michael
Regan,—
sick leave.

By Mr. Costello of Newburyport, a petition (subject to Joint Rule 12) of Michael A. Costello for legislation to establish a sick leave bank for Michael Regan, an employee of the Massachusetts Department of Transportation.

Wireless
service,—
jurisdiction.

By Mr. DiNatale of Fitchburg, a petition (subject to Joint Rule 12) of Stephen L. DiNatale for legislation to remove the Department of Telecommunications and Cable from jurisdiction over wireless service, including mobile radio telephone service, or radio utilities.

Children,—
protection.

By Ms. Peisch of Wellesley, a petition (subject to Joint Rule 12) of Alice Hanlon Peisch relative to the protection of children.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Bills

Wilbraham,—
land.

Authorizing the town of Wilbraham to lease certain land (Senate, No. 2051) (on a petition) [Local Approval Received]; and

Milton,—
liquor
license.

Authorizing the town of Milton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 2052, amended in section 1, in line 4, by striking out the words “Daniel P. Kerrigan or his” and inserting in place thereof the following Milton’s Opus, LLC or its”) (on a petition) [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.

The following communication was spread upon the records of the House, as follows:

March 14, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

Postpartum
depression
and
public
housing,—
Senate
appointments.

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, announcing the appointment of Senators McGee (Co-Chairman), Richard T. Moore and Flanagan to the Special Commission established (pursuant to Chapter 313 of the Acts of 2010) to make an investigation and study of the issue of postpartum depression; and

That the Honorable Bruce E. Tarr, Senate Minority Leader has announced (pursuant to Executive Order 539) the appointment of himself to the Special Commission for public housing sustainability and reform; and the appointment (pursuant to Section 68 of Chapter 194 of the Acts of 2011) of Senator Richard J. Ross to the Gaming Policy Advisory Committee.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 following petitions:

Petition (accompanied by bill) of Sean Garballey and others relative to creating a special commission on school library services in the Commonwealth. To the committee on Education. School libraries—study.

Petition (accompanied by bill) of Shaunna L. O’Connell and others relative to wireless communication device location information. To the committee on Public Safety and Homeland Security. Wireless device location.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to a certain parcel of land in the town of Freetown (House, No. 3953), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Freetown,—land.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, 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 House bills be scheduled for consideration by the House:

Authorizing the town of Plymouth to establish an other post-employment benefits fund (Senate, No. 2030) [Local Approval Received]; Plymouth,—benefits fund.

Relative to Mattapoisett aquaculture license fees (House, No. 3833) [Local Approval Received]; and Mattapoisett,—fees.

Relative to the use of crossbows in hunting (House, No. 3942); Crossbows.

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. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 102 and House, No. 1032, a Bill relative to updating reciprocity for licensing optometrists (House, No. 1032). Optometrists,—licensing.

Trench,—
safety.

By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to administration of the trench safety law (House, No. 1560).

Law
enforcement
memorial.

By the same member, for the same committee, on a petition, a Bill establishing the Massachusetts Law Enforcement Memorial Fund (House, No. 1577).

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

Alcoholic
beverages,—
purchasing.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to identification for the sale of alcoholic beverages (House, No. 1012).

Stadiums,—
plumbing.

By the same member, for the same committee, on a petition, a Bill exempting certain stadiums from plumbing regulations (House, No. 1894).

Wine,—
recorking.

By the same member, for the same committee, on a petition, a Bill relative to the recorking of wine (House, No. 3108).

Firearms
identification.

By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on a petition, a Bill further regulating the issuance of firearms identification (House, No. 2396).

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

Engrossed Bills.

Bill
re-enacted.

The engrossed Bill relative to tiered and selective network health plans (see Senate, No. 2148, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill relative to the number of voting precincts in the town of Chelmsford (see House, No. 3716) (which originated in the House), having been certified by the Clerk to 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.

Third
reading
bill.

House Bill validating the actions taken at a certain town meeting in the town of Abington (printed in House, No. 3843), 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. Sent to the Senate for concurrence.

Order.

Next
sitting.

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.

THURSDAY, MARCH 15, 2012.

1001

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.

Monday, March 19, 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.

Appointment of the Minority Leader.

STEM,—
Minority
Leader
appointment.

The Minority Leader announced that he had appointed Representative Bastien of Gardner to serve as his designee on the Board of Trustees for the Commonwealth Covenant Fund established (pursuant to Section 35EE of Chapter 10 of the General Laws) to make loan payments on behalf of graduates of Massachusetts public institutions of higher education who are employed in the areas of science, technology, engineering and mathematics (STEM).

Resolutions.

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

Jacqueline
Carson.

Resolutions (filed by Messrs. Jones of North Reading and Dwyer of Woburn) congratulating Jacqueline Carson on being named the 2011 Outstanding Citizen of the Year from Reading;

Kathleen
Walsh.

Resolutions (filed by Mr. Jones of North Reading) congratulating Kathleen Walsh on being named the 2011 Outstanding Citizen of the Year from North Reading;

Maurice
"Moe"
Joseph
Boisvert.

Resolutions (filed by Mr. O'Day of West Boylston and other members of the House) congratulating Maurice "Moe" Joseph Boisvert on the occasion of his retirement as President and Chief Executive Office of Youth Opportunities Upheld; and

Charlie
Salisbury.

Resolutions (filed by Messrs. Torrisi of North Andover and Lyons of North Andover) congratulating Charlie Salisbury on his retirement from the position of town moderator in the town of North Andover;

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

Monthly Report.

Unemployment
Trust Fund.

A monthly report of the Executive Office of Labor and Workforce Development (under Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for February, 2012, was placed on file.

Papers from the Senate.

A Bill designating World Voice Week (Senate, No. 2107) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

World
Voice
Week.

The petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2178) of Benjamin B. Dowling and Gailanne M. Cariddi (with the approval of the mayor and city council) to modify the Pittsfield Economic Development Authority. To the committee on Municipalities and Regional Government.

Pittsfield,—
Economic
Development.

Petition (accompanied by bill, Senate, No. 2179) of Benjamin B. Dowling and Gailanne M. Cariddi (with the approval of the mayor and city council) to authorize the city of Pittsfield to prohibit heavy commercial vehicles from traveling on Melbourne Street. To the committee on Transportation.

Pittsfield,—
commercial
vehicles.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Angelo M. Scaccia, William F. Galvin (Secretary of the Commonwealth) and others relative to ballot questions concerning the issuance of licenses for gaming establishments. To the committee on Election Laws.

Gaming,—
ballot
questions.

Petition (accompanied by bill) of Louis L. Kafka and others relative to establishing a Department of Environmental Protection appeals board. To the committee on Environment, Natural Resources and Agriculture.

Environmental
appeals,—
board.

Petition (accompanied by bill) of Louis L. Kafka for legislation to authorize the Commissioner of Revenue to correct any property tax assessment errors regardless of the effect on taxes or charges. To the committee on Revenue.

Tax
assessments,—
errors.

Petition (accompanied by bill) of Louis L. Kafka and others for the issuance of an annual proclamation by the Governor establishing the third week in October as Male Breast Cancer Awareness Week. To the committee on State Administration and Regulatory Oversight.

Male
Breast
Cancer
Week.

Petition (accompanied by bill) of Stephen L. DiNatale for legislation to remove the Department of Telecommunications and Cable from jurisdiction over wireless service, including mobile radio telephone service, or radio utilities. To the committee on Telecommunications, Utilities and Energy.

Wireless
service,—
jurisdiction.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on Senate, No. 930 and House, No. 1398, a Bill establishing earned paid sick time (House, No. 3995). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Paid
sick
days.

State agencies,—
study.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs and services (House, No. 3607).

State House architect,—
establish.

By the same member, for the same committee, on House, No. 3571, a Bill establishing the position of architect of the State House (House, No. 3994) [Representative Orrall of Lakeville dissenting].

Severally read; and referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

Registered bonds.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill exempting owners from providing an indemnity for certain lost or stolen registered bonds (House, No. 844).

Properties,—
development.

By the same member, for the same committee, on a petition, a Bill facilitating the development of underutilized properties formerly operated by the Department of Mental Health or the Department of Mental Retardation for supported housing for people deemed eligible for services by the Department of Mental Health or the Department of Mental Retardation (House, No. 2591).

Government,—
costs.

By the same member, for the same committee, on a petition, a Bill relative to soliciting and rewarding suggestions from residents to reduce costs of government (House, No. 2601).

Surplus state property.

By the same member, for the same committee, on Senate Nos. 1578, 1617, 1630 and House, Nos. 837, 849, and 3045, a Bill providing for disposition of surplus state real property based on smart growth land use policies (House, No. 3045).

Procurement officers.

By the same member, for the same committee, on a petition, a Bill relative to Chapter 30B (House, No. 3210).

Foxborough,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (House, No 3859).

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

School Bus Driver Day.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill establishing School Bus Driver Day (House, No. 842).

Fragile X Awareness Day.

By the same member, for the same committee, on a petition, a Bill establishing Fragile X Awareness Day (House, No. 843).

City Year Day.

By the same member, for the same committee, on a petition, a Bill to create an annual City Year Day (House, No. 2580).

Revere,—
bridge and facility naming.

By the same member, for the same committee, on a petition, a Bill designating a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and the new maintenance facility for the Department of Conservation and Recreation located in the city of Revere as the Captain Arthur “Icy” Reinstein Memorial Maintenance Facility (House, No. 3955).

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

Engrossed Bills.

Engrossed bills

Designating a certain bridge in the city of Attleboro as the Lynn Goodchild and Shawn Nassaney September 11th Memorial Bridge (House, No. 3740); and

Bills enacted.

Providing for a charter for the town of Westwood (House, No. 3763, 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.

Orders of the Day.

House bills

Authorizing the town of Natick to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 3868); and

Third reading bills.

Relative to a certain parcel of land in the town of Freetown (House, No. 3953);

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.

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 twelve minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

Thursday, March 22, 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.

Appointments of the Speaker.

The Speaker announced that he had made appointments as follows:

Financial Literacy Trust Fund.

That Representative Brodeur of Melrose had been appointed to the Financial Literacy Trust Fund established (pursuant to Section 35QQ of Chapter 10 of the General Laws) to encourage financial literacy and education for residents, institutions, community organizations and entities that will promote financial literacy;

Lyme disease.

That Ms. Lisa Donahue of Eastham had been appointed to the special commission established (under Section 181 of Chapter 68 of the Acts of 2011) to conduct an investigation and study of the incidence and impacts of Lyme disease and other tick-borne diseases in the Commonwealth;

Criminal justice system.

That Representatives Markey of Dartmouth and Khan of Newton had been appointed to the special commission established (under Section 189 of Chapter 68 of the Acts of 2011) to study the Commonwealth's criminal justice system;

Police Career Incentive Program.

That Representative Brady of Brockton had been appointed to the special commission established (under Chapter 85 of the Acts of 2011) to investigate and report on current funding levels and municipal contractual obligations established by Section 108L of Chapter 41 of the General Laws, known as the police career incentive pay program; and

Pension system.

That Representatives Scibak of South Hadley and Brodeur of Melrose had been appointed to the special commission established (under Section 56 of Chapter 176 of the Acts of 2011) to study the Massachusetts public employees' pension classification system.

Resolutions.

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

Taiwan.

Resolutions (filed by Messrs. Honan of Boston and Kane of Holyoke) supporting the inclusion of Taiwan in international organizations and agreements; and

Joe Harris.

Resolutions (filed by Messrs. Stanley of Waltham and Lawn of Watertown) congratulating Joe Harris on the occasion of his one hundredth birthday;

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 Benson of Lunenburg and Senator Eldridge, a joint petition (accompanied by bill, House, No. 3997) of Jennifer E. Benson and James B. Eldridge (by vote of the town) for legislation to authorize the board of selectmen in the town of Harvard to appoint water commissioners for said town. Harvard,—
water
commissioners.

By Mr. Michlewitz of Boston, an additional petition (accompanied by bill, House, No. 3998) (having been deposited with the Clerk previous to five o'clock in the afternoon on Friday, January 21, 2011) of Aaron Michlewitz (with the approval of the mayor and city council) relative to repealing the sunset clause for the preparation of certain ballots in the city of Boston. Boston,—
ballots.

Severally to the committee on Election Laws.

By Representative Kocot of Northampton and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4001) of Stanley C. Rosenberg and Peter V. Kocot (with the approval of the mayor and city council) for legislation to establish a charter for the city of Northampton. To the committee on Municipalities and Regional Government. Northampton,—
charter.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Henriquez of Boston, a petition (subject to Joint Rule 12) of Carlos Henriquez and John A. Hart, Jr., for legislation to establish a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families. Dacia
Thompson,—
sick leave.

By Representative Smola of Palmer and Senator Brewer, a joint petition (subject to Joint Rule 12) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Kristin LaPlante, an employee of the Executive Office of Health and Human Services. Kristin
LaPlante,—
sick leave.

By Mr. Swan of Springfield (by request), a petition (subject to Joint Rule 12) of Domenic J. Sarno and Wayman Lee (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to use a traffic control signal violation monitoring system. Springfield,—
traffic
control.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relative to the Dighton Water District in the town of Dighton (Senate, No. 2174, amended by adding the following section: Dighton
Water
District.

“SECTION 4. This act shall take effect upon its passage.”), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Seniors,—
protection.

A report of the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 283) of Richard T. Moore for legislation to protect the interests of consumers in senior lifestyle communities,— and recommending the same be referred to the committee on Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Wenham,—
liquor
license.

A petition (accompanied by bill, Senate, No. 2185) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to authorize the town of Wenham to grant a license for the sale of all alcoholic beverages to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Emmy
Diaz,—
sick leave
bank.

A petition (accompanied by bill) of Brian A. Joyce and Bruce J. Ayers for legislation to establish a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2188) was referred, in concurrence, to the committee on Public Service.

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 following petitions:

Schools,—
prevention
programs.

Petition (accompanied by bill) of Gloria L. Fox and others for legislation to establish comprehensive sexual education and violence prevention programs in the public schools; and

Children,—
protection.

Petition (accompanied by bill) of Alice Hanlon Peisch relative to the protection of children;

Severally to the committee on Education.

Property
Rights.

Petition (accompanied by bill) of Charles A. Murphy and others relative to residential and business owner's property rights; and

Edward O.
Gourdin,—
courthouse.

Petition (accompanied by bill) of Gloria L. Fox and F. Jay Barrows for legislation to designate the courthouse in the Roxbury section of the city of Boston as the Edward O. Gourdin Courthouse;

Severally to the committee on the Judiciary.

Karen
Langley,—
sick leave.

Joint petition (accompanied by bill) of Linda Dean Campbell and Steven A. Baddour for legislation to establish a sick leave bank for Karen Langley, an employee of the Executive Office of Health and Human Services; and

Michael
Regan,—
sick leave.

Petition (accompanied by bill) of Michael A. Costello for legislation to establish a sick leave bank for Michael Regan, an employee of the Massachusetts Department of Transportation;

Severally to the committee on Public Service.

Armed force
members.

Petition (accompanied by bill) of Paul A. Brodeur, Jerald A. Parisella and others relative to employment for armed force members returning from active duty. To the committee on Veterans and Federal Affairs.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Relative to a certain reserve fund in the town of Millville (Senate, No. 1879, amended) [Local Approval Received]; and Millville,—
reserve fund.

Designating a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and the new maintenance facility for the Department of Conservation and Recreation located in the city of Revere as the Captain Arthur “Icy” Reinstein Memorial Maintenance Facility (House, No. 3955); Revere,—
bridge and
facility
naming.

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.

Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 3979, reported, in part, a Bill financing improvements to the Commonwealth’s transportation system (House, No. 4000). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets. Transportation
system,—
improvements.

Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 846, a Bill discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the Division of Capital Asset Management to convey and grant all right, title, and interest in said discontinued portion to abutters (House, No. 3999). Read; and referred, under Rule 33, to the committee on Ways and Means. Topsfield,—
Gravelly
Brook Road.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill relative to the supplemental reserve fund to ensure fiscal stability in the town of Swansea (House, No. 3950) [Local Approval Received]. Swansea,—
fund.

By the same member, for the same committee, on House, No. 3971, a Bill relative to the town of Swansea Volunteer Fire Department (House, No. 3996) [Local Approval Received]. Swansea,—
tax
exemptions.

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

Orders of the Day.

The House Bill relative to limited purpose trust companies (House, No. 2040) (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. Trust
companies.

Pending the question on passing the bill to be engrossed, Mr. Bradley of Hingham moved to amend it by striking out section 3; and by inserting before the enacting clause the following emergency preamble:

Trust
companies.

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to promulgate forthwith rules relative to the establishment and conversion of a limited purpose trust company, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 2040, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Dalton,—
2nd Lt.
Michael J.
Casey, Sr.
Memorial
Bridge.

The House Bill designating a certain bridge in the town of Dalton as the 2nd Lt. Michael J. Casey, Sr. Memorial Bridge (House, No. 3638) (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.

Pending the question on passing the bill to be engrossed, Mr. Mark of Peru moved to amend it in section 2, in lines 5 and 6, by striking out the sentence contained in those lines.

The amendment was adopted; and the bill (House, No. 3638, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty-nine minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (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.

Monday, March 26, 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.

Resolutions.

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

Resolutions (filed by Mr. Mariano of Quincy) congratulating Mrs. Ruth "Betty" DeCristofaro on the occasion of receiving the Henry W. Bosworth, Jr. Memorial Citizenship Award; Ruth "Betty" DeCristofaro.

Resolutions (filed by Mr. Vieira of Falmouth and other members of the House) recognizing April 2012 as the Month of the Military Child and April 13, 2012 as "Purple Up for Military Kids Day"; and Military child month.

Resolutions (filed by Mr. Walsh of Lynn and other members of the House) congratulating the St. Mary's High School boys basketball team on their 2012 season and their MIAA Division IV state championship; St. Mary's High School boys basketball.

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 Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill authorizing the town of Harvard to issue one-day liquor licenses (House, No. 3715), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all the enacting clause and inserting in place thereof the following: Harvard,—liquor licenses.

"The licensing authority of the town of Harvard may grant: (i) special licenses for the sale of wines and malt beverages only, or either of them, to the responsible manager of an indoor or outdoor activity or enterprise; and (ii) special licenses for the sale of all alcoholic beverages or wines and malt beverages only, or any of them, to the responsible manager of any nonprofit organization conducting an indoor or outdoor activity or enterprise under section 14 of said chapter 138."

Under suspension of Rule 35, on motion of Ms. Benson of Lunenburg, 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.

A Bill amending the charter of the town of Norwell (Senate, No. 2186) (on Senate bill No. 1965) [Local Approval Received], passed to be Norwell,—charter.

Norwell,—
charter.

engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Bills

Worcester,—
women.

Establishing the Worcester County Commission on the Status of Women (Senate, No. 2099) (on a petition);

Wildfire
team.

Relative to the state wildfire team (Senate, No. 2183) (on Senate bill No. 913); and

Animal
control.

Further regulating animal control (Senate, No. 2192) (on Senate bill No. 2184, amended);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Barnstable,—
sewer
betterment.

A petition of Demetrius J. Atsalis, Cleon H. Turner and Randy Hunt (accompanied by bill, House, No. 3957) relative to sewer betterment assessments in the town of Barnstable, came from the Senate with the endorsement that said branch had non-concurred with the House in its reference to the committee on Municipalities and Regional Government; and that said petition had been referred by said branch, in non-concurrence, to the committee on Revenue.

On motion of Mr. Kane of Holyoke, the House receded from its reference to the committee on Municipalities and Regional Government; and the petition was referred, in concurrence, to the committee on Revenue.

Teachers,—
retirement
benefits.

A report of the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1344) of Richard T. Moore for legislation relative to the fair treatment of certain teachers' retirement benefits,— and recommending the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

The following communication was spread upon the records of the House, as follows:

March 26, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

Changes in
Senate
membership on
conference
committees.

I have the honor to inform you that the Honorable Steven A. Badour has announced his resignation from the following committees of conference:

Senate, No. 2059 — relative to habitual offenders, sentencing and improving law enforcement tools; and

Senate, No. 1940 — to improve the administration of state government and finance.

The Senate President announced that Mr. Baddour has been replaced on the habitual offenders committee of conference by the Senator from Worcester and Middlesex, Ms. Flanagan; and on the state financing committee of conference by the Senator from Middlesex and Norfolk, Ms. Spilka.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill financing improvements to the Commonwealth's transportation system (House, No. 4000), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4002). Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Transportation system,— improvements.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to health disparities council (House, No. 51). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Health Disparities Council.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 2673, changed in line 1 by inserting after the word "established" the words "under the Department of Youth Services"). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Girls,— juvenile justice programs.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill relative to improving handicapped accessibility (House, No. 2671).

Handicapped accessibility.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill concerning proprietary specifications in public construction (House, No. 824).

Public construction,— specifications.

By the same member, for the same committee, on a petition, a Bill relative to fees for the use of State House facilities (House, No. 1743).

State House,— user fees.

By the same member, for the same committee, on a petition, a Bill relative to landscape sprinkler systems (House, No. 1747).

Sprinkler systems.

By the same member, for the same committee, on a petition, a Bill to clarify employee organization leave (House, No. 2575).

Employees,— leave.

By the same member, for the same committee, on a petition, a Bill relative to global positioning system technology and public employees (House, No. 2576) [Representatives Levy of Marlborough and Orrall of Lakeville, dissenting].

Public employees,— tracking.

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

Aviation
Awareness
Month.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill proclaiming May as Aviation Awareness Month (House, No. 1742).

Groveland and
Rowley,—
justices of
the peace.

By the same member, for the same committee, on a joint petition, a Bill authorizing the Governor to designate an additional justice of the peace in the towns of Groveland and Rowley (House, No. 1748).

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

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to compensated absences in cities and towns (see House, No. 3666); and

Relative to the procurement and award of contracts for certain affordable housing in the city of Boston (see House, No. 3853);

(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.

New Bedford
Police
Association.

The House Bill relative to the New Bedford Police Association (House, No. 1590), reported by the committee on Bills in the Third Reading be correctly, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Cabral of New Bedford moved to amend it by substitution of a bill with the same title (House, No. 4006), 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,—

Next
sitting.

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

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (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.

Tuesday, March 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).

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.

Resolutions.

Resolutions (filed with the Clerk by Speaker DeLeo of Winthrop and other members of the House) observing the sesquicentennial of the Civil War, were referred, under Rule 85, to the committee on Rules. Civil War.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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 Representatives Beaton of Shrewsbury and Ferguson of Holden, a petition (subject to Joint Rule 12) of Matthew A. Beaton, Kimberly N. Ferguson and others relative to certain taxpayer protections regarding casino gaming. Casinos,—taxpayers.

By Representative Benson of Lunenburg and Senator Eldridge, a joint petition (subject to Joint Rule 12) of Jennifer E. Benson and others relative to sex offender registration. Sex offenders.

By Representative Jones of North Reading and Senator Tarr, a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to health care services. Businesses,—health care costs.

By Representative Jones of North Reading and Senator Tarr, a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to cost-effective energy policies and electricity cost reduction. Energy,—cost reduction.

By Mr. Scaccia of Boston, a petition (subject to Joint Rule 12) of Angelo M. Scaccia, William F. Galvin and Mark C. Montigny relative to deposits of state and municipal funds into federally chartered banks. Federal bank deposits.

By Mr. Smizik of Brookline, a petition (subject to Joint Rule 12) of Frank I. Smizik and others relative to Norfolk County revenues and expenditures. Norfolk County,—revenues.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1107) of Robert L. Hedlund, Thomas P. Kennedy, Bruce E. Tarr Prescription drug rebates.

Prescription
drug
rebates.

and Jame J. Dwyer for legislation relative to prescription drug rebates,— and recommending the same be referred to the committee on Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Reports of Committees.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration:

Charter
schools,—
procurements.

Of the petition (accompanied by bill, House, No. 1754) of Martha M. Walz relative to exempting certain charter schools from public procurement laws,— and recommending that the same be referred to the committee on Education.

Job creation,—
disposable
income.

Of the petition (accompanied by bill, House, No. 2602) of Daniel B. Winslow and others relative to job creation by increasing disposable income in the state economy,— and recommending that the same be referred to the committee on Financial Services.

Sex
offenders,—
information.

Of the petition (accompanied by bill, House, No. 1745) of Shaunna L. O'Connell and others relative to sex offender information online,— 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.

Transportation
system.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill financing improvements to the Commonwealth's transportation system (House, No. 4000), ought to pass.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— that the bill be amended by substitution of a bill with the same title (House, No. 4002),— pending.

Mr. Kafka of Stoughton, for said committee, reported that the matter 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.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets then was rejected; and the bill (House, No. 4000) was ordered to a third reading.

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:

Senate bills

Wilbraham,—
land.

Authorizing the town of Wilbraham to lease certain land (Senate, No. 2051) [Local Approval Received];

Dudley,—
water.

Establishing the water and sewer commission of the town of Dudley (Senate, No. 2060) [Local Approval Received];

Erving,—
liquor
license.

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2093, amended) [Local Approval Received]; and

World Voice
Week.

Designating World Voice Week (Senate, No. 2107); and

House bills

- Pertaining to definitions in the Office of the Child Advocate (House, No. 60); Child Advocate.
- Relative to reckless endangerment of persons with disabilities (House, No. 980); Reckless endangerment.
- To prohibit the use of certain liability waivers as against public policy (House, No. 2287); Liability waivers.
- Relative to court oversight of the Department of Children and Families' custodial decisions (House, No. 2679); Custodial decisions.
- Promoting fairness in private construction contracts (House, No. 3158); Construction.
- Relative to overtime for garagemen (House, No. 3392); Garagemen.
- Expanding the town forest committee of the town of Natick from three (3) to five (5) members (House, No. 3869) [Local Approval Received]; Natick,— forest committee.
- Authorizing the town of Natick to lease certain town-owned property (House, No. 3870) [Local Approval Received]; Natick,— land.
- Authorizing the town of Natick to lease certain town-owned property at 20 Middlesex Avenue (House, No. 3871) [Local Approval Received]; and Id.
- Validating the proceedings relating to the authorization of debt by the Old Colony Vocational Technical High School District (House, No. 3914); Old Colony Vocational Technical School.
- 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.

Orders of the Day.

The Senate Bill relative to the Dighton Water District in the town of Dighton (Senate, No. 2174, amended), reported by the committee on Bills in the Third Reading be correctly, was read a third time; and it was passed to be engrossed, in concurrence. Third reading bill.

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.

At six minutes after eleven o'clock A.M., 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.

Wednesday, March 28, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Guest of the House.

Army
National
Guard
Lieutenant
Colonel
Bob Dwan.

During the session, Mr. Vallee of Franklin took the Chair, declared a brief recess, and introduced Massachusetts Army National Guard Lieutenant Colonel Bob Dwan of Dedham, who recently returned from a deployment in Afghanistan. He served as HHD Detachment Commander and Logistical Officer of the 211th Military Police Battalion, Operations Officer of the 26th Yankee Brigade, and the Garrison Commander for the New Kabul Compound in Kabul, Afghanistan. He was joined by his wife Catherine, his children Allyson, Brittany, Madyson, Robert and Christopher and his parents Daniel and Patricia Dwan. Mr. Vallee then presented him with previously adopted resolutions of the House commending him upon his return from Afghanistan. They were the guests of Messrs. Vallee and McMurtry of Dedham.

Resolutions.

Dr. Kathleen
Schatzberg.

Resolutions (filed with the Clerk by Mr. Turner of Dennis and other members of the House) congratulating Dr. Kathleen Schatzberg on the occasion of her retirement as President of Cape Cod Community College, 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 Mrs. Poirier of North Attleborough, 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:

Boston
Housing
Authority.

By Mr. Honan of Boston, a petition (accompanied by bill, House, No. 4008) of Kevin G. Honan (with the approval of the mayor and city council) relative to a form of governance for the Boston Housing Authority. To the committee on Housing.

Orange,—
land.

By Representative Andrews of Orange and Senator Brewer, a joint petition (accompanied by bill, House, No. 4009) of Denise Andrews and Stephen M. Brewer (by vote of the town) for legislation to authorize the town of Orange to convey a certain parcel of land in said town. To the committee on State Administration and Regulatory Oversight.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Chan of Quincy, a petition (subject to Joint Rule 12) of Tackey Chan relative to the payment of interest in arbitration. Arbitration,— interest.

By Mr. Linsky of Natick, a petition (subject to Joint Rule 12) of David Paul Linsky relative to elevator inspection fees. Elevator inspections.

By Messrs. Linsky of Natick and Swan of Springfield, a petition (subject to Joint Rule 12) of David Paul Linsky, Benjamin Swan and others relative to indigent defense counsel. Indigent counsel.

Severally, under Rule 24, to the committee on Rules.

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 following petitions;

Petition (accompanied by bill) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Kristin LaPlante, an employee of the Executive Office of Health and Human Services. Kristin LaPlante,— sick leave.

Petition (accompanied by bill) of Carlos Henriquez and John A. Hart, Jr., for legislation to establish a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families. Dacia Thompson,— sick leave.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mrs. Poirier of North Attleborough, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to energy efficiency in affordable housing (House, No. 369). Public housing.

By the same member, for the same committee, on a petition, a Bill relative to manufactured housing communities (House, No. 2117). Manufactured housing.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on House, Nos. 3 and 4, a Bill relative to the local mandate law (House, No. 4). Local mandates.

By the same member, for the same committee, on a petition, a Bill relative to the enhanced disposition of surplus motor vehicles owned by the Commonwealth or authorities established by the state (House, No. 555). Surplus motor vehicles,— disposition.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2541, a Bill relative to property tax exemptions for renewable power systems (House, No. 4010). Renewable power,— property taxes.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 8 and 13, a Bill relative to Chapter 30B (House, No. 13). Procurements,— regulate.

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

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to promoting local housing initiatives for economically diverse households (House, No. 1271). Local housing,— diversity.

Inspector
General,—
employees.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 8 and 12, a Bill authorizing employees of the Inspector General's office to participate in representative town meeting (House, No. 12).

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

Recess.

Recess.

At five minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at six minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to the Dighton Water District in the town of Dighton (see Senate, No. 2174, amended) (which originated in the Senate);

Authorizing the town of Dartmouth to establish a trust fund for police officer medical benefits (see House, No. 2328);

Designating a certain bridge in the town of Dalton as the 2nd Lt. Michael J. Casey, Sr. Memorial Bridge (see House, No. 3638, amended);

Authorizing the town of Harvard to issue one-day liquor licenses (see House, No. 3715, amended); and

Relative to a certain parcel of land in the town of Freetown (see House, No. 3953);

(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.

Quorum.

Quorum.

Mr. Jones of North Reading thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 209.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance.

[See Yea and Nay No. 209 in Supplement.]

Therefore a quorum was present.

Motion to Suspend Rule 24(2).

Local Aid.

Mr. Jones of North Reading moved that Rule 24(2) be suspended in order that he might offer, from the floor, Resolutions providing for a declaration of the intent of the House of Representatives relative to the amount and distribution of local aid to the Commonwealth's cities, towns and regional school districts for fiscal year 2013.

After debate the motion to suspend Rule 24(2) was negative; and the resolutions were referred, under said rule, to the committee on Rules.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The House Bill financing improvements to the Commonwealth's transportation system (House, No. 4000), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Straus of Mattapoissett.

Transportation
system,—
financing.

After remarks on the question on passing it to be engrossed, Ms. Wolf of Cambridge moved to amend the bill (as changed by the committee on Bills in the Third Reading) by adding the following section:

“SECTION 6. Prior to the consideration of the next Transportation Bond Bill, the House Ways and Means Committee with the Transportation Committee shall assess whether there is a mechanism by which to assist the MBTA in its financial bottom line for the next fiscal year by including a portion of the MBTA capital expenditures for maintaining a ‘State of Good Repair’ in that transportation Bond Bill.”.

The amendment was adopted.

Mr. Lyons of Andover and other members of the House then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2012, the sum set forth in section 2 is hereby appropriated from the Stabilization Fund, pursuant to section 2H of chapter 29 of the General Laws unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

1599-XXXX For the construction and reconstruction of town and county ways as described in clause (b) of section 4 of chapter 6C of the General Laws, the ‘chapter 90 program’; provided that a city or town shall comply with the procedures established by the Massachusetts Department of Transportation; provided further, that any city or town may appropriate for these projects amounts not in excess of the amount provided to the city or town under this item, preliminary notice of which shall be provided by the department to the city or town not later than April 1 of each year; provided further, that the appropriation shall be considered as an available fund upon approval of the commissioner of revenue under section 23 of chapter 59 of the General Laws; and provided further, that the commonwealth shall reimburse a city or town under this item, subject to the availability of funds as provided in section 9B of chapter 29 of the General Laws, within 30 days after receipt by the department of a request for reimbursement from the

Transportation system,— financing.

city or town, which request shall include certification by the city or town that actual expenses have been incurred on projects eligible for reimbursement under this item, and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with applicable laws and procedures established by the department \$200,000,000.

SECTION 3. Section 2H of chapter 29 of the General Laws, as appearing in the 2010 Official Edition is hereby amended by inserting after the word ‘subdivisions’, in line 14, the following words:— or (4) for the construction and reconstruction of town and county ways as described in clause (b) of section 4 of chapter 6C.

SECTION 4. Notwithstanding any general or special law to the contrary, in carrying out section 2 and all other provisions of this act, the Massachusetts Department of Transportation may enter into contracts, agreements, or transactions that may be appropriate with other federal, state, local or regional public agencies or authorities. The contracts, agreements, or transactions may relate to such matters as the department shall determine including, without limitation, the research, design, layout, construction, reconstruction or management of construction of all or a portion of these projects. In relation to any such contracts, agreements, or transactions the department may advance monies to these agencies or authorities, without prior expenditure by the agencies or authorities, and the agencies and authorities may accept monies necessary to carry out these agreements; provided, however, that the department shall certify to the comptroller the amounts so advanced; provided further, that these agreements shall contain provisions satisfactory to the department for the accounting of monies expended by any other agency or authority; and provided, further, that all monies not expended under any such agreement shall be credited to the account of the department from which they were advanced. The department shall report to the house and senate committees on ways and means on any transfers completed under this section.

SECTION 5. (a) Notwithstanding any other general or special law to the contrary, the Massachusetts Department of Transportation shall expend the sums authorized in section 2 for the following purposes: projects for the laying out, construction, reconstruction, resurfacing, relocation or necessary or beneficial improvement of highways, bridges, bicycle paths or facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other crossings, traffic safety devices on state highways and on roads constructed under section 4(b) of chapter 6C of the General Laws, highway or mass transportation studies, including, but not limited to, traffic, environmental or parking studies, the establishment of school zones in accordance with section 2 of chapter 85 of the General Laws, improvements on routes not designated as state highways without assumption of maintenance responsibilities and, notwithstanding any general or special law to the contrary, projects to alleviate contamination of public and private water supplies cause by the department’s storage and use of snow removal chemicals which are necessary for the

purposes of highway safety and for the relocation of persons or businesses or for the replacement of dwellings or structures including, but not limited to, providing last resort housing under federal law and such functional replacement of structures in public ownership as may be necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. section 4601 et seq., and to sell any structure the title to which has been acquired for highway purposes. When dwellings or other structures are removed in furtherance of any of the foregoing projects, the excavations or cellar holes remaining shall be filled in and brought to grade within 1 month after the removal. In planning projects funded by said section 2, consideration shall be made, to the extent feasible, to accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means of transportation; provided, however, that nothing in this section shall be construed to give rise to enforceable legal rights in any party or a cause of action or an enforceable entitlement as to the projects described in this section.

(b) Funds authorized in section 2 shall, except as otherwise specifically provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may be used for the purposes stated in this act in conjunction with funds of cities, towns and political subdivisions.

(c) In addition to the foregoing, the department of transportation may expend funds made available by this act to acquire from a person by lease, purchase, eminent domain under chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities adjacent to a public way to be operated by the department or under contract with an individual; expend funds made available by this act for the acquisition of van-type vehicles used for multi-passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to, water shuttles and water taxis; and, in accordance with all applicable state and federal laws and regulations, exercise all powers and do all things necessary and convenient to carry out the purposes of this act.

(d) In carrying out this section, the Massachusetts Department of Transportation may enter into contracts or agreements with cities to mitigate the effects of projects undertaken under this act and to undertake additional transportation measures within the city and may enter into contracts, agreements, or transactions with other federal, state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions that may be necessary to implement these contracts or agreements with cities. Cities and other state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions may enter into these contracts, agreements, or transactions with the department. In relation to these agreements, the department may advance to these agencies, organizations or authorities, without prior expenditure by the agencies, organizations or authorities, monies necessary to carry out these agreements; provided, however, that the department shall certify to the comptroller the amount so advanced; provided further, that all monies not expended under these agreements

Transportation
system,—
financing.

shall be credited to the account of the department from which they were advanced. The department shall report to the house and senate committees on ways and means on any transfers completed under this subsection.

(e) In addition to the foregoing, the department may expend funds made available by this act for matching funds to obtain federal funds for costs associated with the design, acquisition, renovation, construction, reconstruction and other improvements for transit projects.”

Amendment
rejected,—
yea and nay
No. 210.

After debate on the question on adoption of the amendment, the sense of the House taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 13 members voted in the affirmative and 144 in the negative.

[See Yea and Nay No. 210 in Supplement.]

Therefore the amendment was rejected.

Subsequently a statement of Mr. Henriquez of Boston was spread upon the records as follows:

Statement of
Mr. Henriquez
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call it was my intention to vote in the negative. I now find, however, that due to some inexplicable reason I was recorded as voting in the affirmative.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following section:

“SECTION 7. There shall be established within the Massachusetts Department of Transportation a taskforce to review and evaluate the feasibility of amending the state specifications for road construction and bituminous concrete or pavement materials in order to increase the durability of paved public ways in the Commonwealth while decreasing any adverse environmental impacts from such specifications.

The taskforce shall be comprised of: the Secretary of the Department of Transportation, who shall serve as chair; the Director of the Pavement Research Institute at the University of Massachusetts/Dartmouth, or his designee; one person to be appointed by the President of the Senate and one person to be appointed by the Speaker of the House of Representatives, each of whom shall have expertise in materials science; one person to be appointed by the Minority Leader of the Senate and one person to be appointed by the Minority Leader of the House of Representatives, each of whom shall be citizen who regularly drive on public ways of the Commonwealth; and, the House and Senate chairs of the Joint Committee on Transportation.

The taskforce shall convene at least four public hearings and accept written public comment before making its report, which shall be filed with the Joint Committee on Transportation, and the Clerks of the Senate and House of Representatives no later than March 1, 2013.”

The amendment was adopted.

Mr. O’Flaherty of Chelsea and other members of the House then moved to amend the bill by adding the following section:

“SECTION 8. The Department of Transportation shall commission a study to determine the impact on public safety of transporting ethanol by train through the communities of Boston, Revere and the city of Chelsea. Said report shall be completed within six months of enactment and copies shall be provided to the House Committee on Ways and Means and the Executive Office of Public Safety and Security.”

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—yea and nay No. 211.

[See Yea and Nay No. 211 in Supplement.]

Therefore the bill (House, No. 4000, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders of the Day.

Senate Bills

Authorizing the town of Wilbraham to lease certain land (Senate, No. 2051) [Local Approval Received];

Second reading bills.

Establishing the water and sewer commission of the town of Dudley (Senate, No. 2060) [Local Approval Received];

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2093, amended) [Local Approval Received]; and

Designating World Voice Week (Senate, No. 2107); and

House bills

Pertaining to definitions in the Office of the Child Advocate (House, No. 60);

Relative to reckless endangerment of persons with disabilities (House, No. 980);

Expanding the Town Forest Committee of the town of Natick from three (3) to five (5) members (House, No. 3869) [Local Approval Received];

Authorizing the town of Natick to lease certain town-owned property (House, No. 3870) [Local Approval Received];

Authorizing the town of Natick to lease certain town-owned property at 20 Middlesex Avenue (House, No. 3871) [Local Approval Received]; and

Validating the proceedings relating to the authorization of debt by the Old Colony Vocational Technical High School District (House, No. 3914);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to dementia patients in longterm care facilities (House, No. 347), was read a second time.

Second reading bill amended.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3947),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relating to insurance company rebates (House, No. 3776), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3930),— was adopted; and the substituted bill was ordered to a third reading.

Norwell,—
charter.

The Senate Bill relative to the charter of the town of Norwell (Senate, No. 2186) (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.

Pending the question on passing the bill to be engrossed, in concurrence, Mrs. Nyman of Hanover moved to amend it by adding after section 7 the following paragraph:

“If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect, but not otherwise.”; and by striking out section 8 and inserting in place thereof the following section:

“SECTION 8. This act shall take effect upon its passage.”.

The amendments were adopted; and the bill (Senate, No. 2186, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

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.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at a quarter before three o'clock P.M., 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., in an Informal Session.

Thursday, March 29, 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 certain reform and corrective changes relative to the Massachusetts Department of Transportation (House, No. 4011), was filed in the office of the Clerk on Wednesday, March 28, 2012. Transportation reform.

The message was read; and it was referred under Rule 30, with the accompanying draft of a bill, to the committee on Transportation.

Resolutions.

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

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Howitt of Seekonk) congratulating Brandon D. Deal on receiving the Eagle Scout Award of the Boy Scouts of America; and Brandon D. Deal.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Howitt of Seekonk) congratulating Thomas Leo Flett on receiving the Eagle Scout Award of the Boy Scouts of America; Thomas Leo Flett.

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

Communication.

A communication from the Department of Housing and Community Development (under item 7004-0108 contained in Section 2 of Chapter 68 of the Acts of 2011, as amended by Section 7 of Chapter 171 the Acts of 2011 and Section 33 of Chapter 36 of the Acts of 2012) submitting proposed regulations for the HomeBASE program, so-called, was placed on file. HomeBASE program,—proposed regulations.

Petition.

Ms. Orrall of Lakeville presented a petition (subject Joint Rule 12) of Keiko M. Orrall relative to an interscholastic head injury safety training program; and the same was referred, under Rule 24, to the committee on Rules. Head injuries,—safety training.

Papers from the Senate.

Natick,—
police chief.

The House Bill relative to the duration of contracts for the position of Chief of Police in the town of Natick (House, No. 3333), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 2 striking out the words “or any other general or special law to the contrary” (as changed by the committee on Bills in the Third Reading).

Under suspension of Rule 35, on motion of Mr. Linsky of Natick, 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.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Education
standards.

Petition (accompanied by bill, Senate, No. 2197) of Fredrick E. Berry for legislation to promote excellence in public schools. To the committee on Education.

American
manufacturing.

Petition (accompanied by bill, Senate, No. 2198) of Richard T. Moore, Benjamin B. Downing, Stephen L. DiNatali, Linda Dean Campbell and other members of the General Court for legislation to promote American manufacturing. To the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Milton,—
liquor
license.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Milton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 2052, amended) [Local Approval Received], be scheduled for consideration by the House.

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

International
investment.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 829, a Bill promoting responsible investment and the prevention of genocide (House, No. 4013).

Proposal
review.

By the same member, for the same committee, on House, No. 840, a Bill to ensure diversity in proposal review teams (House, No. 4014).

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

Legislative
agents,—
definition.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, No. 2577, a Bill redefining executive and legislative agents (House, No. 4012). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

Third
reading
bill.

The House Bill authorizing the city of Springfield to convey certain park land and to grant a license agreement over certain park

land to Unifirst Corporation (House, No. 3874, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and passed to be engrossed. Sent to the Senate for concurrence.

The House Bill amending Chapter 270 of the Acts of 1985, as amended by Chapter 322 of the Acts of 1900 and Chapter 427 of the Acts of 1991 (House, No. 3433), was read a third time. Third reading
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill relative to the appointment of department heads in the town of Brookline (House, No. 4015), which was read.

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

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock; and at twenty-two minutes before three o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Engrossed Bills.

Engrossed bills

Relative to the charter of the town of Norwell (see Senate, No. 2186, amended) (which originated in the Senate); and Bills
enacted.

Relative to the duration of contracts for the position of Chief of Police of the town of Natick (see House, No. 3333, amended) (which 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.

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 minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (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.

Monday, April 2, 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.

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

Christopher
Long.

Resolutions (filed by Mr. Turner of Dennis) congratulating Christopher Long on receiving the Eagle Award of the Boy Scouts of America; and

Alyce
Neault
Potvin.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Alyce Neault Potvin on the occasion of her one hundredth birthday;

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.

Communication.

Civil
service
lists.

A communication 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 fire promotional lists which have been revoked as of March 1, 2012, was placed on file.

Petitions.

Boston,—
ballots.

Mr. Michlewitz of Boston presented a petition (accompanied by bill, House, No. 4020) of Aaron Michlewitz (with the approval of the mayor and city council) for legislation to amend the preparation of certain ballots in the city of Boston; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Clifton
Watson,—
sick leave.

Mr. Vallee of Franklin presented a petition (subject Joint Rule 12) of James E. Vallee for legislation to establish a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Vehicle
dealers, etc.,—
regulate.

A Bill further regulating business practices between motor vehicle dealers, manufactures and distributors (Senate, No. 2162) (on Senate, No. 1975), passed to be engrossed by the Senate, was it was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A Bill establishing a sick leave bank for Carl Senna, an employee of the Department of Correction (Senate, No. 2131) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Carl Senna,—
sick leave.

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

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

A Bill establishing a sick leave bank for Judith Christianson, an employee of the Department of Transitional Assistance (Senate, No. 2161, amended in line 7 by striking out the words “department of transitional assistance paid” and inserting in place thereof the words “extended illness”; and in line 9 by striking out the words “of transitional assistance”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Judith Christianson,—
sick leave.

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

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

Reports of Committees.

Reports

Of the committee on Municipalities and Regional Government, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1443) of Kevin G. Honan relative to land use regulations and zoning; and

Land use regulations and zoning.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 2332) of Walter F. Timilty for legislation to limit the operation of parking lots subcontracted for a single use event;

Single event parking lot usage.

Under suspension of the rules, in each instance, on a motion of Mr. Kane of Holyoke, the reports were considered forthwith. Pending the question on acceptance of the reports, the petitions were recommit- ted, on motions of Mr. Kane of Holyoke.

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 David Paul Linsky, Benjamin Swan and others relative to indigent defense counsel. Under suspension of the rules, on motion of Mr. Humason of Westfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Indigent counsel.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to coverage of medical emergency communication costs (House, No. 2333). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Medical emergencies,—
communi-
cations.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill further regulating reporting requirements of constables (House, No. 564).

Constables,—
reporting.

Animal shelters,— regulation.

By the same member, for the same committee, on a petition, a Bill relative to the regulation of animal shelters (House, No. 1445).

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

Animal shelters,— regulation.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the regulation of animal shelters (House, No. 561).

Capital project fund.

By the same member, for the same committee, on a petition, a Bill to increase the amount that can be appropriated from the balance of a capital project fund (House, No. 1440).

Animals,— care.

By the same member, for the same committee, on a petition, a Bill to ensure adequate care of animals in cities and towns (House, No. 2326).

Handicapped placards.

By the same member, for the same committee, on a petition, a Bill relative to handicap automobile licenses or placards (House, No. 2331).

Dogs,— sale.

By the same member, for the same committee, on a petition, a Bill regulating the sale of dogs (House, No. 2886).

Southbridge,— charter.

By the same member, for the same committee, on a petition, a Bill relative to the charter of the town of Southbridge (House, No. 3900) [Local Approval Received].

Harbor and Shellfish Advisory Board.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill clarifying the Harbor and Shellfish Advisory Board membership from conflict of interest regarding discussion of shellfish licensing (House, No. 831) [Local Approval Received].

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

Michael Regan,— sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick bank for Michael Regan (House, No. 4005). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, 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 matters be scheduled for consideration by the House:

The Senate Bill amending the charter of the town of Bourne (Senate, No. 2114, amended) [Local Approval Received]; and House bills

Bourne,— amend charter.

Establishing School Bus Driver Day (House, No. 842);

School buses.

Establishing Fragile X Awareness Day (House, No. 843);

Fragile X.

Relative to identification for the sale of alcoholic beverages (House, No. 1012);

Liquor Id's.

Trash.

Relative to the removal or transportation of trash (House, No. 1546);

Aviation Month.

Proclaiming May as Aviation Awareness Month (House, No. 1742);

Addressing workplace bullying, mobbing and harassment, without regard to protected class status (House, No. 2310); Workplace bullying.

Clarifying participation in athletic safety programs (House, No. 2347, changed); Athletics.

To create an annual City Year Day (House, No. 2580); City Year.

Relative to the recorking of wine (House, No. 3108); Wine.

Relative to the supplemental reserve fund to ensure fiscal stability in the town of Swansea (House, No. 3950) [Local Approval Received]; and Swansea.

Relative to the town of Swansea Volunteer Fire Department (House, No. 3996) [Local Approval Received]; Id.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

The House Bill authorizing the city of Woburn to place a certain question on the state election ballot relative to the granting of a license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3892) (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. Woburn,— liquor license.

Pending the question on passing the bill to be engrossed, Mr. Dwyer of Woburn moved to amend it in section 1, in line 3, by striking out the words “mayor and city council of the city of Woburn” and inserting in place thereof the words “state secretary”; and, in section 2, in line 16, by striking out the word “may” and inserting in place thereof the word “shall”.

The amendments were adopted; and the bill (House, No. 3892, amended) 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 Wednesday next at twelve o’clock noon. Next sitting.

At seventeen minutes after eleven o’clock A.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at twelve o’clock noon.

Wednesday, April 4, 2012.

Met according to adjournment at twelve o'clock noon, 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.

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following change and appointments:

Creative
Economy
Council.

That Mr. Howitt of Seekonk had been appointed as his designee (replacing Mr. deMacedo of Plymouth) to the Creative Economy Council established (under Section 1 of Chapter 354 of the Acts of 2008) to develop a statewide strategy for the enhancement, encouragement, and growth of the creative economy in the Commonwealth and to promote through public and private means responsive public policies and innovative private sector practices; and

Education
collaboratives.

That Terri Ann Medeiros of East Falmouth had been appointed as his designee on the special commission established (under Section 5 of Chapter 43 of the Acts of 2012) to make an investigation and study of the role of education collaboratives.

Statement Concerning Representative Reinstein of Revere.

A statement of Mrs. Haddad of Somerset concerning Mrs. Reinstein of Revere was spread upon the records of the House, as follows:

Statement
concerning
Ms. Reinstein
of Revere.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Reinstein of Revere, was unable to be present in the House Chamber for today's sitting due to personal business. If she could have been present for the roll calls on passing to be engrossed House bill No. 537 and Senate bill No. 2132, she would have voted in the affirmative, in both instances. Her missing of roll calls today was due entirely to the reason stated.

Recess.

Recess.

At three minutes after twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until two o'clock P.M.; and at six minutes after two o'clock the House was called to order with Mr. Donato in the Chair.

Guests of the House.

James Smith,—
New England
Wrestling
Champion.

During the session, Mr. Linsky of Natick took the Chair, declared a brief recess, and introduced James Smith from Natick, the New England Wrestling Champion for the 138 pound weight class. Mr. Linsky then presented to Mr. Smith a citation of the House, congratulating him on his achievement. Mr. Smith was accompanied by his parents. They were the guests of Mr. Linsky.

Resolutions.

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

Resolutions (filed by Mr. Fernandes of Milford) congratulating Brandon Elliott on earning the Eagle Scout Award;	Brandon Elliott.
Resolutions (filed by Mr. Fernandes of Milford) congratulating Spencer Hess on earning the Eagle Scout Award;	Spencer Hess.
Resolutions (filed by Mr. Fernandes of Milford) congratulating Ian Jankauskas on earning the Eagle Scout Award;	Ian Jankauskas.
Resolutions (filed by Mr. Fernandes of Milford) congratulating Christopher Merolli on earning the Eagle Scout Award;	Christopher Merolli.
Resolutions (filed by Mr. Fernandes of Milford) congratulating Richard Schofield III on earning the Eagle Scout Award; and	Richard Schofield III.
Resolutions (filed by Mr. Keenan of Salem) congratulating Andrew Oliver on his service to Lifebridge;	Andrew Oliver.

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

Petitions.

By Messrs. Calter of Kingston and Webster of Pembroke presented a petition (accompanied by bill, House, No. 4026) of Thomas J. Calter, Robert L. Hedlund and Daniel K. Webster (by vote of the town) for legislation to exempt the position of deputy police chief in the town of Duxbury from the civil service law; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Duxbury,—
deputy
police
chief.

Representative Jones of North Reading and Senator Tarr presented a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to access to certain institutions of higher education and vocational schools; and the same was referred, under Rule 24, to the committee on Rules.

Schools,—
access.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Higher Education. Sent to the Senate for concurrence.

Representative Jones of North Reading and Senator Tarr presented a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to job growth; and the same was referred, under Rule 24, to the committee on Rules.

Job
growth.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Regulatory
reform,—
businesses.

Representative Jones of North Reading and Senator Tarr presented a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others for legislation to provide regulatory reform to promote job growth; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Military,—
registration
plates.

Mr. Vallee of Franklin presented a petition (subject to Joint Rule 12) of James E. Vallee relative to military license plates; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Peterson of Grafton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Employment,—
privacy
policies.

Petitions severally were presented and referred as follows:
By Ms. Coakley-Rivera of Springfield, a petition (subject to Joint Rule 12) of Cheryl A. Coakley-Rivera and others relative to privacy policies as relates to social networking and employment.

Special
education.

By Mr. Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin relative to special education costs.

Barbers,—
requirements.

By Mr. Madden of Nantucket, a petition (subject to Joint Rule 12) of Timothy R. Madden and others for legislation to amend the occupational requirements for barbers.

Disabled,—
rape.

By Ms. Poirier of North Attleborough, a petition (subject to Joint Rule 12) of Elizabeth A. Poirier and others relative to rape of a person with disabilities.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

First Sergeant
Charles W.
Parker Bridge.

The House 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), 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 following:

“SECTION 1. Chapter 46 of the acts of 1971 is hereby repealed.

SECTION 2. Bridge W-6-51 on interstate highway route 195 in the town of Wareham shall be designated and known as the First Sergeant Charles W. Parker Memorial Bridge, in memory of Charles W. Parker, who was killed in action while a member of the armed forces of the

United States during World War II. The division of highways within the Massachusetts Department of Transportation shall erect and maintain suitable markers bearing this designation in compliance with the standards of the department.”

Under suspension of Rule 35, on motion of Ms. Gifford of Wareham, 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.

A Bill authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises (Senate, No. 97) (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.

Hawley,—
liquor
license.

A petition (accompanied by bill) of Michael R. Knapik and Donald F. Humason for legislation to establish the 104th fighter wing fire department, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.

104th fighter
wing fire
department.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2208) was referred, in concurrence, to the committee on Public Safety and Homeland Security.

Reports

Of the committee on Transportation, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 1721) of Stephen M. Brewer, Angelo J. Puppolo, Jr. and Anne M. Gobi for legislation to place the word “veteran” on any eligible driver’s license;

Driver
licenses,—
“veteran”.

Of the petition (accompanied by bill, Senate, No. 1722) of Stephen M. Brewer and Anne M. Gobi for legislation to further regulate the sale of distinctive registration plates for veterans; and

Veterans,—
registration
plates.

Of the petition (accompanied by bill, Senate, No. 1731) of Cynthia S. Creem for legislation relative to the penalties for drag racing;

Drag racing,—
penalties.

And recommending the same severally be referred to the Senate committee on Ways and Means.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, inasmuch as relates to the discharge of the joint committee.

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 Geoffrey G. Diehl and others for legislation to authorize the Registry of Motor Vehicles to register eighteen year old male applicants for military selective service. 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 Transportation. Sent to the Senate for concurrence.

RMV,—
selective
service.

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 following petitions;

Health care services.

Joint petition (accompanied by bill) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to health care services. To the committee on Health Care Financing.

Cyrus E. Dallin,—sculptor.

Petition of Sean Garballey for legislation to designate Cyrus E. Dallin as the official sculptor of the Commonwealth. To the committee on State Administration and Regulatory Oversight.

Electricity cost reduction.

Joint petition (accompanied by bill) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to cost-effective energy policies and electricity cost reduction. To the committee on Telecommunications, Utilities and Energy.

Under suspension of the rules, on motion of Mr. Peterson of Grafton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Election laws,—reform.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on Senate, Nos. 298, 302 and 313 and House, Nos. 1979, 1980 and 2739, a Bill reforming election laws (House, No. 4022). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Michlewitz, the bill was read a second time forthwith; and it was referred, by the acting Speaker, under Rule 33, to the committee on Ways and Means.

Ambulance services.

Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to payment for use of ambulance services (House, No. 3917), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

In-patient psychiatric relief.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on a petition, a Bill creating a community hospital in-patient psychiatric relief program (“chipp”) (House, No. 550).

Mental health,—outdoor access.

By the same member, for the same committee, on Senate, No. 986 and House, No. 1430, a Bill concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to the outdoors (House, No. 4023).

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

Hospitalizations,—court ordered.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on House, No. 551, a Bill relative to court ordered hospitalizations (House, No. 4021).

Fire districts.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on Senate, No. 1006 and House, No. 565, a Bill to include fire districts (House, No. 565, changed in section 2, in line 8, by inserting after the figures “100G” the following figures “1/4”).

Stabilization funds.

By the same member, for the same committee, on House, No. 2321, a Bill relative to regional stabilization funds (House, No. 4016).

By the same member, for the same committee, on House, No. 3890, a Bill supporting municipal fiscal stability through a special education stabilization fund (House, No. 4017). Special education,—fund.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill authorizing property tax exemptions for rental properties in the town of Truro restricted as affordable housing (House, No. 3489) [Local Approval Received]. Truro,—affordable housing.

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

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. 99) of Carlo Basile and Anthony W. Petruccelli (with the approval of the mayor and city council) that the licensing board for the city of Boston be authorized to issue certain licenses for the sale of alcoholic beverages at Logan Airport located in said city. Logan airport,—liquor license.

Under suspension of the rules, on a motion of Mr. Basile of Boston, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Mr. Speliotis of Danvers, for said committee, reported on the foregoing petition, a Bill providing for designated licenses for the sale of alcoholic beverages and wine and malt beverages at Logan International Airport granted by the licensing board for the city of Boston (House, No. 99) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Engrossed Bill.

The engrossed Bill validating the actions taken at a certain town meeting in the town of Abington (see House bill printed in House, No. 3843) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Orders of the Day.

The Senate Bill authorizing the town of Kingston to install, finance and operate wind energy facilities (Senate, No. 1915), 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. Third reading bill.

The House Bill designating a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and the new maintenance facility for the Department of Conservation and Recreation located in the city of Revere as the Captain Id.

Third reading bill.

Arthur "Icy" Reinstein Memorial Maintenance Facility (House, No. 3955), 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. Sent to the Senate for concurrence.

Second reading bills.

The Senate Bill amending the charter of the town of Bourne (Senate, No. 2114, amended); and

House bills

Establishing School Bus Driver Day (House, No. 842);

Establishing Fragile X Awareness Day (House, No. 843);

Relative to identification for the sale of alcoholic beverages (House, No. 1012);

Proclaiming May as Aviation Awareness Month (House, No. 1742);

To create an annual City Year Day (House, No. 2580);

Relative to the recorking of wine (House, No. 3108);

Promoting fairness in private construction contracts (House, No. 3158);

Relative to the supplemental reserve fund to ensure fiscal stability in the town of Swansea (House, No. 3950); and

Relative to the town of Swansea Volunteer Fire Department (House, No. 3996);

Several were read a second time; and they were ordered to a third reading.

Firefighters and EMTs,—dismissal.

The House Bill protecting volunteer firefighters and emergency medical technicians from dismissal (House, No. 537) (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.

Bill passed to be engrossed,—yea and nay No. 212.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Kulik of Worthington; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 212 in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

Schools,—emergencies.

The Senate Bill relative to medical emergency response plans for schools (Senate, No. 2132, amended) (having been reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time.

Bill passed to be engrossed,—yea and nay No. 213.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Peisch of Wellesley; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 213 in Supplement.]

Therefore the bill was passed to be engrossed, in concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

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

WEDNESDAY, APRIL 4, 2012.

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Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-seven minutes after three o'clock P.M., on motion of Mr. Peterson of Grafton (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.

Thursday, April 5, 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.

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

Sara
Lennox.

Resolutions (filed by Representatives Kocot of Northampton and Story of Amherst) congratulating Sara Lennox on the occasion of her retirement from the University of Massachusetts Amherst; and

Worcester
County Bar
Association.

Resolutions (filed by Mr. Naughton of Clinton and other members of the House) congratulating the Worcester County Bar Association on the one hundred and twenty-fifth anniversary of its founding;

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

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 following petitions:

Federal bank
deposits.

Petition (accompanied by bill) of Angelo M. Scaccia, William F. Galvin and Mark C. Montigny relative to deposits of state and municipal funds into federally chartered banks. To the committee on Financial Services.

Williams
Syndrome
Awareness
Week.

Petition (accompanied by bill) of Martin J. Walsh and others for legislation to designate the second week of May as Williams Syndrome Awareness Week. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Nursing
homes,—
liability
insurance.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2413) of Garrett J. Bradley for legislation to prohibit a denial of nursing home liability insurance,— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

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

- To increase routine screening HIV (Senate, No. 2158, amended); HIV.
 - and
 - Relative to school served food products (House, No. 69); Food products.
 - Relative to condominium sanitary code enforcement (House, No. 3297); and Sanitary code.
 - Relative to the charter of the town of Southbridge (House, No. 3900) [Local Approval Received]; Southbridge,—charter.
- 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 Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill incorporating car-sharing in smart growth planning (House, No. 90). Smart growth,—carsharing.

By the same member, for the same committee, on a petition, a Bill making technical changes to regulatory impact statements (House, No. 986). Regulations,—impact statements.

By the same member, for the same committee, on a petition, a Bill relative to creating low profit limited liability companies (House, No. 1868). Low profit companies.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 160, a Bill establishing a bill of rights for children who are deaf or hard of hearing (House, No. 4027). Deaf children.

By Ms. Peake of Provincetown, for the committee on Tourism, Arts and Cultural Development, on House, No. 2628, a Bill relative to the Massachusetts tourism fund (House, No. 4025). Tourism fund.

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

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Hingham to allow the lease and refurbishment of the Bathing Beach Bathhouse (House, No. 3856) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hingham,—Bathing Beach Bathhouse.

Orders of the Day.

The Senate Bill authorizing the town of Wilbraham to lease certain land (Senate, No. 2051), 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. Third reading bill.

House bills

Providing for designated licenses for the sale of alcoholic beverages and wine and malt beverages at Logan International Airport granted by the licensing board for the city of Boston (House, No. 99); and Third reading bills.

Establishing a sick leave bank for Michael W. Regan, an employee of the Massachusetts Department of Transportation (House, No. 4005) (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.

Co-operative
banks.

The House Bill relative to co-operative banks (House, No. 3806), reported by the committee on Bills in the Third Reading be correctly, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Costello of Newburyport moved to amend it in section 12, in line 137, by striking out the figure "2¼" and inserting in place thereof the figure "3".

The amendment was adopted; and the bill (House, No. 3806, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Monday, April 9, 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.

Resolutions.

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

Resolutions (filed by Representatives Brady of Brockton, Canavan of Brockton and Creedon of Brockton) congratulating Brian P. Feeney of Brockton upon his elevation to the rank of Eagle Scout;

Brian P. Feeney.

Resolutions (filed by Mr. Keenan of Salem) celebrating the three hundred and seventy-fifth anniversary of the first muster of the National Guard;

National Guard.

Resolutions (filed by Mr. Lombardo of Billerica) congratulating the Veterans of Foreign Wars Solomon Post #8819 on the occasion of its fiftieth anniversary;

VFW Solomon Post #8819.

Resolutions (filed by Mr. Swan of Springfield) congratulating Lee Ernest Davis on the occasion of his one hundredth birthday; and

Lee Ernest Davis.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulating the Sisters of Charity, Halifax, on its one hundred and twenty-fifth anniversary in the Archdiocese of Boston;

Halifax,— Sisters of Charity.

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 Mr. Rushing of Boston, 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. Sullivan of Fall River presented a petition (accompanied by bill, House, No. 4030) of David B. Sullivan, Michael J. Rodrigues and Paul A. Schmid, III (with the approval of the mayor and city council) relative to the chief of the fire department and the board of fire commissioners of the city of Fall River; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Fall River,— fire department.

Petitions severally were presented and referred as follows:

By Mr. Diehl of Whitman, a petition (subject to Joint Rule 12) of Geoff Diehl and David Hallinan relative to unemployment benefits for employees of educational institutions.

Educational institutions,— unemployment.

By Mr. O'Day of West Boylston, a petition (subject to Joint Rule 12) of James J. O'Day for legislation to establish a sick leave bank for Patricia Chasse, an employee of the Executive Office of Health and Human Services.

Patricia Chasse,— sick leave.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Community Development and Small Businesses committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on Community Development and Small Businesses be granted until April 30, 2012 within which to make its final report on current Senate document numbered 1843 relative to regulating franchise agreements.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Judiciary committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until April 27, 2012, within which time to make its final report on current senate documents numbered 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 679, 680, 681, 682, 683, 684, 685, 686, 689, 691, 693, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 729, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 821, 822, 823, 824, 825, 826, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 862, 863, 864, 865, 866, 867, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 976, 1227, 1712, 1859, 1860, 1861, 1862, 1953, 2012, 2040, 2061 and 2160, relative to the Judiciary.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Transportation committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on Transportation be granted until Tuesday, May 1, 2012 within which to make its final report on current Senate documents numbered 1717, 1728, 1730, 1733, 1746, 1757, 1762, 1772,

1776, 1778, 1780, 1789, 1792, 1793, 1797, 1798, 1801, 1802, 1804, 1805, 2024 and 2041 relative to transportation issues.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the order was considered forthwith; and it was adopted, in concurrence.

A Bill authorizing the town of Plymouth to make improvements on unaccepted roads (Senate, No. 1049) (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.

Plymouth,—
roads.

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 Cheryl A. Coakley-Rivera and others relative to privacy policies as relates to social networking and employment. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Employment,—
privacy
policies.

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3809) relative to oral examinations for learners' permits to operate motor vehicles,— and recommending that the same be referred to the committee on Ways and Means [Messrs. Miceli of Wilmington and Durant of Spencer, of the committee on Transportation, dissenting]. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence, inasmuch as relates to the discharge of the committee.

Learners'
permits,—
oral
examinations.

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

Senate bill

Authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises (Senate, No. 97) [Local Approval Received]; and

Hawley,—
liquor
license.

House bills

Relative to the definition of mandated reporters (House, No. 78);

Reporters.

Relative to the regulation of animal shelters (House, No. 561);

Animal shelters.

To increase the amount that can be appropriated from the balance of a capital project fund (House, No. 1440);

Capital
project fund.

To ensure adequate care of animals in cities and towns (House, No. 2326);

Animal care.

Relative to handicap automobile licenses or placards (House, No. 2331);

Placards.

Regulating the sale of dogs (House, No. 2886);

Sale of dogs.

Creating the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845) [Local Approval Received];

Dennis,—
Melpet
Farm.

Chelmsford,—
land.

Relative to leasing Sunny Meadow Farm in the town of Chelmsford (House, No. 3881) [Local Approval Received];

Lobbyists.

Redefining executive and legislative agents (House, No. 4012);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measures.

Medical
emergency
response
plans.

The engrossed Bill relative to medical emergency response plans for schools (see Senate, No. 2132, 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 4 to 0. Sent to the Senate for concurrence.

Pearlene
Odom,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Pearlene Odom, an employee of the Massachusetts Department of Transportation (see House, No. 3910), 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 4 to 0. Sent to the Senate for concurrence.

Janet
Ruggieri,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Janet Ruggieri, an employee of the Department of Revenue (see House, No. 3976, 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 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Authorizing the town of Kingston to install, finance and operate wind energy facilities (see Senate, No. 1915);

Authorizing the town of Wilbraham to lease certain land (see Senate, No. 2051);

(Which severally originated in the Senate);

Relative to the recall of elected officials in the town of Chelmsford (see House, No. 3728);

Designating a certain bridge on interstate highway Route 195 in the town of Wareham as the First Sergeant Charles W. Parker Memorial Bridge (see House, No. 3757, amended); and

Amending the charter of the town of Westborough (House, No. 3800);

(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 Senate Bill increasing screening for HIV (Senate, No. 2158, amended) (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, in concurrence. Third reading bill.

The House Bill increasing the membership of the town forest committee of the town of Natick (House, No. 3869) (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. Id.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M. Next sitting.

At twenty-four minutes after eleven o'clock A.M., on motion of deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, April 11, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Message from the Governor.

Wareham,—
town
election.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at the annual town election in the town of Wareham (House, No. 4032), was filed in the office of the Clerk on Tuesday, April 10, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

Statement Concerning Representative Cariddi of North Adams.

A statement of Mrs. Haddad of Somerset concerning Ms. Cariddi of North Adams was spread upon the records of the House, as follows:

Statement
concerning
Ms. Cariddi of
North Adams.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Cariddi of North Adams, is unable to be present in the House Chamber for today's sitting due to the recent passing of her father. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Gobi of Spencer.

A statement of Mrs. Haddad of Somerset concerning Ms. Gobi of Spencer was spread upon the records of the House, as follows:

Statement
concerning
Ms. Gobi of
Spencer.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Gobi of Spencer, is unable to be present in the House Chamber for today's sitting due to her attending the funeral of a family member. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Scibak of South Hadley.

A statement of Mrs. Haddad of Somerset concerning Mr. Scibak of South Hadley was spread upon the records of the House, as follows:

Statement
concerning
Mr. Scibak of
South Hadley.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Scibak of South Hadley, is unable to be present in the House Chamber for today's sitting due to personal reasons. His missing of roll calls today is due entirely to the reason stated.

Guests of the House.

During the session, Ms. Campbell of Methuen took the Chair, declared a brief recess and introduced members of the Methuen High School Rangers wrestling team, accompanied by their coach, Bill James, Division 1 Coach of the Year. Sophomore Christian Monserrat (113 pounds), junior Paul Sughrue (126 pounds) and senior C.J. Doherty (145 pounds) each won their respective weight class in a recent Division 1 State Tournament in Weymouth. Ms. Campbell then presented them with a Citation of the House. They were the guests of Representative Campbell of Methuen.

Methuen
High School
wrestling
team.

During the session, Mr. Hecht of Watertown took the Chair, declared a brief recess and introduced members of the 2012 Watertown High School indoor relay team, accompanied by their coach, Dave Mastro. Team members Talia Flores, Lauren Basile, Meagan Kelly and Christelle Madou placed first at the MIAA Division 4 State Championship Meet, setting a school record in the 4x200 relay at the New England Regional Meet, posting the fastest time of all Massachusetts schools and placing third overall in New England. They also ran their third-fastest time and finished 29th out of 60 at the Nationals in New York City. They were the guests of Representative Hecht and Lawn of Watertown.

Watertown
High School
indoor
relay team.

During the session, Mr. Howitt of Seekonk took the Chair, declared a brief recess and introduced Ibrahim Halil Sivgan, District Governor of Tasova, Turkey. Mr. Sivgan is currently working on a project to promote the involvement of women in Turkish local government, gathering information from the experiences of women officials in America. One of his many achievements includes the project “Renovations for the Schools for Tomorrows”, which enhances structural facilities of schools and provides modern educational environments. He was the guest of Representative Howitt.

Ibrahim
Halil
Sivgan.

Communication.

A communication from the Department of Transportation, Rail and Transit Division (pursuant to Subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting a report outlining the net operating investment per passenger mile ratio for fiscal years 2010 through 2014, was placed on file.

MBTA,—
per passenger
mile ratios.

Resolutions.

Resolutions (filed with the Clerk by Mr. Speliotis of Danvers) honoring Ronald A. Parsons’ twenty-fifth anniversary as band director and teacher at Danvers High School, were referred, under Rule 85, to the committee on Rules.

Ronald A.
Parsons.

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

Petition.

Worcester,—
land.

Messrs. Mahoney of Worcester and Binienda of Worcester presented a petition (accompanied by bill, House, No. 4033) of John J. Mahoney, John J. Binienda and Harriette L. Chandler (with the approval of the mayor and city council) that the city of Worcester be authorized to transfer certain property and land in said city; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Papers from the Senate.

Bourne
Water
District,—
land.

The Senate Bill authorizing a lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes (Senate, No. 2215) (on Senate bill No. 2130), passed to be engrossed by the Senate, was read; and it was referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Electricity,—
competitively
priced.

The Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Section 19 of said chapter 25, as so appearing, is hereby amended by adding the following subsection:—

(d) There shall be a voluntary accelerated rebate pilot program which shall be made available to the 5 largest electric users and 5 largest gas users in each utility service territory. Multiple locations of the same customer shall not be aggregated for purposes of meeting this threshold. Eligible customers electing to participate in the accelerated pilot program shall notify the appropriate program administrator on or before January 31 of each calendar year during the pilot program. Customers electing to participate shall be eligible for financial support of up to 100 per cent of the cost for qualified energy efficiency measures as determined by the program administrator using energy efficiency advisory council criteria. Total rebate levels for participating customers in any year of the pilot program shall not exceed 90 per cent of the amount the customer was charged for energy efficiency programs for calendar year 2012. A participating customer shall not aggregate a rebate from any year in which the customer does not participate in the pilot. Qualified energy efficiency measures shall include cost-effective energy efficiency program measures approved by the applicable program administrator recognized by the department using energy efficiency advisory council criteria under section 21; provided, however, that up to 15 per cent of any accelerated rebate may be used for other improvements that support energy efficiency improvements made under a program approved by the department or emission reductions, including, but not limited to infrastructure improvements, metering, circuit level technology and software. Customers opting to receive an accelerated rebate shall be ineligible for other energy efficiency program rebates under said section 21 during the period in which they participate in the pilot program. All qualified installations shall be substantially completed by the end of the program, and shall be subject to verification and review by the department. Electric and gas distribution

companies shall recalibrate their energy efficiency goals, as reviewed by the energy efficiency advisory council under subsection c of said section 21, to reflect the rebates provided to any customer electing to participate in this pilot program.”) (on Senate bill No. 2200), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A petition of Therese Murray, Randy Hunt and Viriato Manuel deMacedo for legislation to designate certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino bridges, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Bourne,—
Pucino
bridges.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2218) was referred, in concurrence, to the committee on Transportation.

Order.

The following order (filed by Mr. O’Flaherty of Chelsea) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, April 27, 2012 within which to make its final report on current House documents numbered 9, 11, 23, 24, 27, 28, 29, 30, 31, 40, 41, 42, 382, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 524, 525, 526, 527, 528, 1274, 1275, 1276, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1835, 1836, 1837, 1838, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209,

Judiciary
committee,—
extension of
time for
reporting.

Judiciary
committee,—
extension of
time for
reporting.

2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2221,
2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232,
2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243,
2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254,
2255, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268,
2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279,
2280, 2281, 2282, 2283, 2284, 2285, 2684, 2793, 2795, 2796, 2797,
2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808,
2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819,
2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830,
2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841,
2842, 2843, 2844, 2845, 2846, 2847, 2851, 2852, 2853, 2854, 2855,
2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866,
2867, 3137, 3138, 3139, 3140, 3141, 3142, 3144, 3145, 3146, 3147,
3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3229,
3230, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288,
3289, 3290, 3291, 3292, 3330, 3340, 3358, 3359, 3360, 3361, 3362,
3385, 3441, 3471, 3516, 3518, 3545, 3559, 3569, 3587, 3631, 3636,
3681, 3682, 3729, 3739, 3743, 3744, 3765, 3766, 3768, 3840, 3884,
3905, 3913 and 3934.

Mr. Binienda of Worcester, for the committees on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of the same member, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Recess.

Recess.

At two minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at a quarter after one o'clock the House was called to order with Mr. Donato in the Chair.

Quorum.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum. Subsequently a count showed that 128 members were in attendance.

Reports of Committees.

General
Appropriation
Bill,—
procedures.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the General Appropriation Bill for the fiscal year 2013 (House, No. 4100) (for order, see House, No. 4099).

After debate on the question on adoption of the order, Mr. Winslow of Norfolk moved to amend it by inserting in the sixth paragraph, in line 28, after word "member" the following:—" , or any cosponsor of the amendment, ". After remarks the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order by inserting after line 26 the following paragraph:

“*Ordered*, That, any amendment in the second degree containing language which would create a study of any part of the subject matter contained in the original amendment, may only be adopted if such further amendment has the express approval of the sponsor of the original amendment. Express approval shall be limited to the original sponsor speaking in favor of the further amendment on the floor of the House during the formal session in which the amendment is offered, provided that such speech is recorded in the Journal of the House, or the filing of the further amendment by the original sponsor. If the original sponsor does not provide express approval of such further amendment, the further amendment may only be adopted by an affirmative vote of not less than two-thirds of the members on a recorded ye and nay vote.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 32 members voted in the affirmative and 119 in the negative.

Amendment rejected,—yea and nay No. 215.

[See Yea and Nay No. 215 in Supplement.]

Therefore the amendment was rejected.

After remarks on the question on adoption of the order, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 119 members voted in the affirmative and 31 in the negative.

Order adopted,—yea and nay No. 216.

[See Yea and Nay No. 216 in Supplement.]

Therefore the order (House, No. 4099, amended) was adopted.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 2, reported, in part, a Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4100) [Total appropriation: \$32,297,314,489.00]. Read; and referred, under 7A, to the committee on Steering, Policy and Scheduling.

General Appropriation Bill.

Subsequently Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House; and, under the provisions of House order No. 4099 (adopted this day), the bill was placed in the Orders of the Day for Monday, April 23, for a second reading.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill enhancing student opportunity for achievement and results (House, No. 176).

Student achievement.

By the same member, for the same committee, on House, No. 1909, a Bill relative to school attendance (House, No. 4031).

School attendance.

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

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Karen Langley, an employee of the Executive Office of Health and Human Services (House, No. 4028). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Karen Langley,—sick leave bank.

Karen Langley,—
sick leave
bank.

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

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

Dacia Thompson,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families (House, No. 4029).

Mr. Kafka of Stoughton, for said committee, reported that the matter 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.

Hamilton,—
development
corporation.

Report of the committee on Economic Development and Emerging Technologies, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 3710) of Bradford Hill and Bruce E. Tarr (by vote of the town) for legislation to authorize the town of Hamilton to establish a Hamilton development corporation.

Under suspension of the rules, on a motion of Mr. Hill of Ipswich, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of the same member.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to medical emergency response plans for schools (see Senate, No. 2132, amended) (which originated in the Senate); and

Establishing a sick leave bank for Pearlene Odom, an employee of the Massachusetts Department of Transportation (see House, No. 3910); and

Establishing a sick leave bank for Janet Ruggieri, an employee of the Department of Revenue (House, No. 3976, amended);

(Which severally which originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Id.

Increasing screening for HIV (see Senate, No. 2158, amended) (which originated in the Senate); and

Relative to the appointment of department heads in the town of Brookline (House, No. 4015) (which 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.

Motion to Discharge a Certain Matter in the Orders of the Day.

World Voice
Week.

The Senate Bill designating World Voice Week (Senate, No. 2107), reported by the committee on Bills in the Third Reading to be correctly

drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Binienda of Worcester; and it was passed to be engrossed, in concurrence.

Orders of the Day.

House bills

Authorizing the appointment of Sean C. Lewis, Sr. as a firefighter in the town of North Andover notwithstanding the maximum age requirement (House, No. 3593) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

Validating the actions taken at the June 7, 2011 annual town meeting held by the town of North Andover (printed in House, No. 3665); and

Relative to Mattapoisett aquaculture license fees (House, No. 3833); 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 town of Hawley to grant a license for the sale or service of wine to be drunk on the premises (Senate, No. 97); and

Second reading bills.

House bills

Relative to the definition of mandated reporters (House, No. 78);

Relative to the regulation of animal shelters (House, No. 561);

To increase the amount that can be appropriated from the balance of the capital project fund (House, No. 1440);

Relative to handicap automobile licenses of placards (House, No. 2331);

Clarifying participation in athletic safety programs (House, No. 2347, changed)

Creating the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845);

Relative to leasing Sunny Meadow Farm in the town of Chelmsford (House, No. 3881); and

Redefining executive and legislative agents (House, No. 4012);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to the town of Swansea volunteer fire department (House, No. 3996), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Swansea,— fire department.

Pending the question on passing the bill to be engrossed, Mrs. Hadad of Somerset moved to amend it by striking out section 3.

The amendment was adopted; and the bill (House, No. 3996, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill designating World Voice Week (Senate, No. 2107) (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.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-nine minutes before three o'clock P.M., on motion of Mr. Hill of Ipswich (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.

Thursday, April 12, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Order.

An Order (filed with the Clerk by Speaker DeLeo of Winthrop) relative to the rescinding and expunging of quorum roll call No. 214, was referred, under the rule 24, to the committee on Rules. Yea and nay No. 214,—expunge record.

Mr. Binienda of Worcester, for the committee on Rules, then reported that the order ought to be adopted.

Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Mr. O'Day of West Boylston then moved that the vote be reconsidered and, there being no objection, the motion was considered forthwith; and it was negatived.

Resolutions.

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

Resolutions (filed by Speaker DeLeo of Winthrop) commending all state employees on the occasion of "Performance Recognition Day"; State employees.

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

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

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

Resolutions (filed by Representatives Beaton of Shrewsbury, Dykema of Holliston and Peterson of Grafton) honoring Lydia Goldblatt on the occasion of her retirement; Lydia Goldblatt.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Shawn P. Flanagan on receiving the Eagle Award of the Boy Scouts of America; Shawn P. Flanagan.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Matthew J. Ohrenberger on receiving the Eagle Award of the Boy Scouts of America; Matthew J. Ohrenberger.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating Michael Kuhn on the occasion of his retirement from the Department of Children and families; Michael Kuhn.

Resolutions (filed by Ms. Peisch of Wellesley) honoring William G. Brooks III on his departure as Deputy Chief of the Wellesley Police Department; and William G. Brooks III.

Sister
Gertrude
Caroline
Gillis.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Sister Gertrude Caroline Gillis on her one hundredth birthday;

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.

Petitions.

Petitions severally were presented and referred as follows:

Mark
Lewis,—
sick leave.

By Representative Benson of Lunenburg and Senator Flanagan, a joint petition (subject to Joint Rule 12) of Jennifer E. Benson and Jennifer L. Flanagan for legislation to establish a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services.

Drug
dealing.

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda for legislation to prevent illegal drug dealing near recreational facilities.

Motor
vehicles,—
towing.

By Representative Binienda of Worcester and Senator Moore, a joint petition (subject to Joint Rule 12) of John J. Binienda and Michael O. Moore for legislation to prohibit the towing of certain motor vehicles containing an unsupervised animal.

Public
records,—
study.

By Mr. Murphy of Burlington, a petition (subject to Joint Rule 12) of Charles A. Murphy and Geoffrey G. Diehl for legislation to establish a special commission to review and make recommendations relative to updating public records laws.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

Public
water
systems.

A Bill to maintain public water systems (Senate, No. 85, amended in lines 8 to 11, inclusive, by striking out the words “nor shall such provisions apply to utility contractors, approved and working for the public water system, for work related to the installation, repair, testing and maintenance of hydrants and appurtenant pipes and valves within the jurisdiction of the public water system”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Simulcasting.

A petition of Anthony W. Petruccelli, Kathi-Anne Reinstein and Carlo Basile for legislation relative to simulcasting, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2219) was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

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 following petitions:

Petition (accompanied by bill) of Peter J. Durant and others relative to the disclosure of autopsy reports by the Office of the Chief Medical Examiner. To the committee on Public Safety and Homeland Security. Autopsy reports,—disclosure.

Petition (accompanied by bill) of James J. O'Day for legislation to establish a sick leave bank for Patricia Chasse, an employee of the Executive Office of Health and Human Services. To the committee on Public Service. Patricia Chasse,—sick leave.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill further regulating the issuance of firearms identification (House, No. 2396), be scheduled for consideration by the House. Firearms identification.

Under suspension of Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Resolve providing for an investigation and study by a special commission (including members of the General Court) relative to creating and expanding access to opportunity in low-opportunity communities (House, No. 88). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Opportunity access,—study.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a message from His Excellency the Governor, a Bill authorizing the town of Groton, acting by and through its board of selectmen and board of water commissioners, to convey a conservation restriction on certain parcels of land to the Division of Fisheries and Wildlife by its Department of Fish and Game (House, No. 3886). Read; and referred, under Rule 33, to the committee on Ways and Means. Groton,—land.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to planning boards' approval of subdivision plans (House, No. 86). Subdivision plans.

By the same member, for the same committee, on a petition, a Bill relative to commercial area revitalization districts (House, No. 89). Commercial revitalization.

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

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M. Next sitting.

At eleven minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, April 17, 2012.

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).

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. Pledge of
allegiance.

Resolutions.

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

Resolutions (filed by Messrs. Hecht of Watertown, Lawn of Watertown, Miceli of Wilmington and Fresolo of Worcester) honoring Steven Tolman for his tireless efforts to ensure that the memories and lessons of the Armenian Genocide will never be forgotten; Steven
Tolman.

Resolutions (filed by Messrs. Hecht of Watertown, Lawn of Watertown, Miceli of Wilmington and Fresolo of Worcester) honoring Joyce van Dyke for her contributions to commemorate the Armenian Genocide; Joyce
van Dyke.

Resolutions (filed by Messrs. Humason of Westfield and Boldyga of Southwick) honoring Senator Michael R. Knapik for his outstanding service to the community and receiving the Red Cross Community Spirit Award; and Michael R.
Knapik.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) celebrating the dedication of the Francis J. Hesck Square in the town of Natick; Natick,—
Francis J.
Hesck
Square.

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

Orders.

The following order (filed by Mr. Speliotis of Danvers) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Thursday, May 3, 2012, within which to make its final report on current House documents numbered 102, 116, 125, 1004, 1006, 1007, 1016, 1025, 1027, 1029, 1850, 1876, 1877, 1882, 1883, 1893, 2004, 2027, 2689, 3266, 3348, 3404, 3405, 3498, 3677, 3760, 3851, 3903, relative to professional licensure related issues in the Commonwealth. Consumer
Protection and
Professional
Licensure
committee,—
extension
of time for
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Economic
Development
and
Emerging
Technologies
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Friday, June 1, 2012, within which to make its final report on current Senate documents numbered 157, 161 and 173 and House documents numbered 25, 1902, 2708 and 3830.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Education
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, June 29, 2012, the time within which to make its report on current Senate documents numbered 176 and 197 and House documents numbered 1065, 1588, 1936, 1962, 2712, 3674, 3679, 3680 and 3846.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Election
Laws
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Wednesday, June 13, 2012, within which to make its final report on current Senate document numbered 304 and House document numbered 1985.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Financial
Services
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Friday, April 13, 2012, within which to make its final report on current Senate document numbered 868 and House document numbered 1219.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Thursday, June 21, 2012, within which to make its final report on current Senate documents numbered 413, 442, 443, 445, 449, 458, 476 and 1856 and House documents numbered 293, 311, 1173, 1174, 1204, 1212, 3322 and 3921.

Financial Services committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. O'Flaherty of Chelsea) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Friday, April 27, 2012, the time within which to make its report on current House documents numbered 3977, 3978 and 3987.

Judiciary committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Coakley-Rivera of Springfield) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Thursday, June 21, 2012, within which to make its final report on current Senate documents numbered 932 and 957 and House documents numbered 1391, 1412, 2293, 2296, 2298, 2874 and 3546.

Labor and Workforce Development committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Kane of Holyoke) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Friday, May 18, 2012, within which to make its final report on current House documents numbered 562, 575, 577, 580, 1448, 1449, 1454, 3102, 3317 and 3745.

Municipalities and Regional Government committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Keenan of Salem) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Telecommunications, Utilities and Energy committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Tuesday, May 1, 2012, within which to make its final report on current House documents numbered 876, 884, 886, 1755, 1764, 1769, 2609, 2619, 2622, 3057, 3059 and 3380, relative to double poles.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Keenan of Salem) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Id. *Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, June 15, 2012, within which to make its final report on current House documents numbered 866, 871, 1768, 1771, 2610, 2623, 3047, 3048 and 3056, relative to telecommunications, utilities and energy and other matters.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Keenan of Salem) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Id. *Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, June 15, 2012, within which to make its final report on current House documents numbered 883, 890, 1763, 1773, 2603, 2604 and 3050, relative to bottle deposit law expansion.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Keenan of Salem) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Id. *Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, June 15, 2012, within which to make its final report on current House documents numbered 2612 and 2625, relative to coal fired power generation.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Forry of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Community Development and Small Businesses be granted until Wednesday, April 18, 2012, within which to make its final report on current House document numbered 1867.

Community Development and Small Businesses committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, the order was considered forthwith.

Pending question on the adoption of the order Ms. Forry moved to amend it by striking out the date “Wednesday, April 18” and inserting in place thereof the date “Monday, April 30”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Costello of Newburyport, a petition (subject to Joint Rule 12) of Michael A. Costello relative to property and casualty actuary opinions.

Insurance actuaries.

By Representatives O’Connell of Taunton and Holmes of Boston, a petition (subject to Joint Rule 12) of Shaunna L. O’Connell, Russell E. Holmes and others for legislation to further regulate the use of electronic benefit transfer cards and establish penalties for certain prohibited transactions.

Electronic benefit transfer cards.

By Mr. Ross of Attleboro, a petition (subject to Joint Rule 12) of George T. Ross and others relative to continuously monitoring the entrances, exits and common areas of all facilities operated under the authority of the Department of Mental Health and the Department of Developmental Services.

Mental health, etc.,—security.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Bills

Revising the interstate compact clause on the placement of children (Senate, No. 63) (on a petition); and

Children,—placement.

Relative to the definition of fraud in public construction bid laws (on Senate, No. 2212) (on Senate bill No. 2145);

Public construction,—fraud.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

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 following petitions:

Petition (accompanied by bill) of Jennifer E. Benson and others relative to sex offender registration. To the committee on the Judiciary.

Sex offenders.

Petition (accompanied by bill) of John D. Keenan for legislation to establish a municipal record preservation commission. To the committee on State Administration and Regulatory Oversight.

Municipal records,—preservation.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Stadiums,—
plumbing.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill exempting certain stadiums from plumbing regulations (House, No. 1894), — 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 in the reference.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing the town of Scituate to continue the employment of the chief of police, Brian E. Stewart (House, No. 3834) (which originated in the House), 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.

Relative to the supplemental reserve fund to ensure fiscal stability in the town of Swansea (House, No. 3950); and

Establishing a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families (House, No. 4029);

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.

Karen
Langley,—
sick leave
bank.

The House Bill establishing a sick leave bank for Karen Langley, an employee of the Executive Office of Health and Human Services (House, No. 4028), 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, Ms. Campbell of Methuen moved to amend it by inserting before the enacting clause 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 executive office of health and human services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4028, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Southbridge,—
charter.

The House Bill relative to the charter of the town of Southbridge (House, No. 3900), was read a third time.

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

Southbridge,—
by-laws.

Pending the question on passing the bill to be engrossed, Mr. Durant of Spencer moved to amend it by substitution, in part, of a Bill exempting the town of Southbridge from Attorney General approval of by-laws (House, No. 4039), which was read [Local Approval Received]. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4039) then was sent to the Senate for concurrence.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to non-councilors on committees in the town of Southbridge (House, No. 4040), which was read [Local Approval Received]. The amendment was adopted.

Southbridge,—
committees.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4040) then was sent to the Senate for concurrence.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to the removal of the vice chairperson of the council of the town of Southbridge (House, No. 4041), which was read [Local Approval Received]. The amendment was adopted.

Southbridge,—
council vice
chairperson.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4041) then was sent to the Senate for concurrence.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to prohibition on multiple appointments to quasi-judicial boards in the town of Southbridge (House, No. 4042), which was read [Local Approval Received]. The amendment was adopted.

Southbridge,—
quasi-judicial
boards.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4042) then was sent to the Senate for concurrence.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to the addition of members to the board of health in the town of Southbridge (House, No. 4043), which was read [Local Approval Received]. The amendment was adopted.

Southbridge,—
board of
health.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4043) then was sent to the Senate for concurrence.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to the appointment of the liquor licensing board in the town of Southbridge (House, No. 4044), which was read [Local Approval Received]. The amendment was adopted.

Southbridge,—
liquor
licensing
board.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported

by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4044) then was sent to the Senate for concurrence.

Southbridge,—
quasi-judicial
bodies.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative the rescission of appointments to quasi-judicial bodies in the town of Southbridge (House, No. 4045), which was read [Local Approval Received]. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4045) then was sent to the Senate for concurrence.

Southbridge,—
town
manager.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative the removal of the manager of the town of Southbridge (House, No. 4046), which was read [Local Approval Received]. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4046) then was sent to the Senate for concurrence.

Southbridge,—
liquor
licensing
board.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to the prohibition on commercial manufacturing or sale of alcohol by the members of the liquor licensing board of the town of Southbridge (House, No. 4047), which was read [Local Approval Received]. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4047) then was sent to the Senate for concurrence.

Southbridge,—
elective
officers
recall.

Mr. Durant of Spencer then moved to amend the bill (House, No. 3900) by substitution, in part, of a Bill relative to the recall of elective officers in the town of Southbridge (House, No. 4048), which was read [Local Approval Received]. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the substituted bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. The bill (House, No. 4048) then was sent to the Senate for concurrence.

The residue of the bill (House, No. 3900) then was recommitted to the committee on Bills in the Third Reading, on motion of Mr. Durant of Spencer.

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.

TUESDAY, APRIL 17, 2012.

1071

At twenty-six minutes before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, April 19, 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.

Silent Prayer.

J. Ward
Carter.

At the request of Ms. Peisch of Wellesley, the members, guests and employees then stood in a moment of silent tribute for J. Ward Carter, who passed away on April 5, in memory of his 52 years of service as Executive Secretary and Town Administrator for the town of Weston.

Resolutions.

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

Kevin J.
Cellucci.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Kevin J. Cellucci on receiving the Eagle Award of the Boy Scouts of America;

Andres
Ramirez.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Andres Ramirez on receiving the Eagle Award of the Boy Scouts of America;

Colin Peter
Senechal.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Colin Peter Senechal on receiving the Eagle Award of the Boy Scouts of America;

George Robert
Kielpinski.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating George Robert Kielpinski on receiving the Eagle Scout Award of the Boy Scouts of America;

Jonathan
DeGirolamo.

Resolutions (filed by Mr. Diehl of Whitman) congratulating Jonathan DeGirolamo on receiving the Eagle Scout Award of the Boy Scouts of America;

David
Flood.

Resolutions (filed by Ms. Hogan of Stow) congratulating Lieutenant David Flood on the occasion of his retirement from the Hudson Fire Department;

GAIN
Act.

Resolutions (filed by Mr. Kaufman of Lexington and other members of the House) supporting the enactment of the GAIN Act, also known as "Generating Antibiotic Incentives Now";

Watertown,—
Shutt
Detachment.

Resolutions (filed by Messrs. Lawn of Watertown and Hecht of Watertown) commending the Private Charles J. Shutt Detachment, Marine Corps League 139, in the town of Watertown;

Walter G.
Van Dorn.

Resolutions (filed by Mr. Michlewitz of Boston) congratulating Walter G. Van Dorn on his retirement from the Board of Directors of the Pioneers Institute;

Jenny
Cintron.

Resolutions (filed by Representatives Sánchez of Boston, Malia of Boston and Fox of Boston) honoring Jenny Cintron on her many accomplishments as the Director of the Action for Boston Community Development citywide Boston Hispanic Center; and

Resolutions (filed by Mr. Turner of Dennis) congratulating John Lawrence Duncan II on receiving the Eagle Scout Award of the Boy Scouts of America; John Lawrence Duncan II.

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 Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

A petition (accompanied by bill, House, No. 4052) of F. Jay Barrows and James E. Tamily (by vote of the town) relative to the management of town buildings, properties and facilities in the town of Foxborough; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Foxborough,—
facilities.

Petitions severally were presented and referred as follows:

By Mrs. O'Connell of Taunton, a petition (subject to Joint Rule 12) of Shaunna L. O'Connell and others for legislation to require businesses to be authorized by the Department of Transitional Assistance to accept electronic benefit transfer cards. EBT cards,—
acceptance.

By Mr. Murphy of Lowell, a petition (subject to Joint Rule 12) of Kevin J. Murphy (with the approval of the city council) relative to the payment of fees for solemnizing marriages in the city of Lowell. Lowell,—
marriage
fees.

By Mr. Ross of Attleboro, a petition (subject to Joint Rule 12) of George T. Ross and others relative to the placement of the children of corrections officers on the civil service eligibility list. Corrections
officers,—
eligibility
list.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill financing improvements to the Commonwealth's transportation system (House, No. 4000, amended), 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 2220. Transporta-
tion,—
improvements.

Under suspension of Rule 35, on motion of Mr. O'Day of Worcester, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Pending the question on adoption of the amendment, in concurrence, Mr. Straus of Mattapoisett moved that it be amended by striking out the text contained therein and inserting in place thereof the text contained in House, No. 4000, as amended and engrossed by the House.

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.

A petition (accompanied by bill) of Bruce E. Tarr, Bradley H. Jones, Jr., Fredrick E. Berry, Theodore C. Speliotis and others for legislation relative to Essex regional retirement system, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service. Essex
regional
retirement
system.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2230) was referred, in concurrence, to the committee on Public Service.

Municipal,—
electric
companies.

A petition (accompanied by bill) of Gale D. Candaras for legislation relating to municipal wholesale electric companies, came from the Senate referred, under suspension of Joint Rules 12 and 9, to the committee on Telecommunications, Utilities and Energy.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2229) was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Consumer
Protection and
Professional
Licensure
committee,—
extension
of time for
reporting.

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the Joint Committee on Consumer Protection and Professional Licensure be granted until Thursday, May 3, 2012 within which to make its final report on current Senate documents numbered 103, 104, 105, 127, 1943 and 2049, relative to consumer protection and professional licensure.

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Municipalities
and Regional
Government
committee,—
extension
of time for
reporting.

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the Joint Committee on Municipalities and Regional Government be granted until Friday, May 18, 2012 within which to make its final report on current Senate documents numbered 1004, 1005, 1927, 2009 and 2043, relative to municipalities and local government issues.”

Under suspension of the rules, on motion of Mr. Kane of Holyoke, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Telecommunica-
tions, Utilities
and Energy
committee,—
extension
of time for
reporting.

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the Joint Committee on Telecommunications, Utilities and Energy be granted until May 1, 2012 within which time to make its final report on current Senate documents numbered 1649 and 1654 relative to double poles.”

Under suspension of the rules, on motion of Mr. Keenan of Salem, the order was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

Special
education,—
costs.

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 William C. Galvin relative to special education costs. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Children, Families and Persons with Disabilities. Sent to the Senate for concurrence.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration:

Of the petition (accompanied by bill, Senate, No. 336) of Stephen M. Brewer for legislation to promote the public health of citizens of the Commonwealth through the testing and labeling of striped bass; Striped bass,—
testing and
labeling.

Of the petition (accompanied by bill, Senate, No. 364) of Richard T. Moore for legislation to promote the public health of citizens through the testing and labeling of striped bass; and Id.

Of the petition (accompanied by resolve, Senate, No. 391) of James E. Timilty for legislation to promote the public health of the citizens of the Commonwealth through the testing and labeling of striped bass; Id.

And recommending that the same severally be referred to the committee on Public Health.

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:

Authorizing employees of the Inspector General’s Office to participate in representative town meeting (House, No. 12); Inspector
General.

Clarifying the harbor and shellfish advisory board membership from conflict of interest regarding discussion of shellfish licensing (House, No. 831) [Local Approval Received]; Nantucket,—
shellfish
licensing.

Authorizing the Governor to designate an additional justice of the peace in the towns of Groveland and Rowley (House, No. 1748); Groveland
and Rowley.

Authorizing property tax exemptions for rental properties in the town of Truro restricted as affordable housing (House, No. 3489) [Local Approval Received]; and Truro,—
housing.

Authorizing the town of Hingham to allow the lease and refurbishment of the Bathing Beach Bathhouse (House, No. 3856) [Local Approval Received]; Hingham,—
Bathing
Beach
Bathhouse.

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.

Reconsideration.

Mr. Costello of Newburyport asked that the vote be reconsidered by which the House, on Tuesday, April 17, adopted the following order: Financial
Services
committee,—
extension
of time for
reporting.

“Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Friday, April 13, 2012, within which to make its final report on current Senate document numbered 868 and House document numbered 1219.”

The motion was entertained; and it prevailed.

Pending the recurring question on adoption of the order, the same member moved to amend it by striking out the date "Friday, April 13" and inserting in place thereof the date "Monday, May 11". The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Orders of the Day.

Second
reading
bill.

The House Bill to ensure adequate care of animals in cities and towns (House, No. 2326), was read a second time; and it was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty-six minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at ten o'clock A.M.

Monday, April 23, 2012.

Met according to adjournment at ten o'clock A.M., 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.

Resolutions.

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

Resolutions (filed by Mr. Brady of Brockton) congratulating Cody S. Gymiski of Brockton upon his elevation to the rank of Eagle Scout; Cody S. Gymiski.

Resolutions (filed by Mr. Fallon of Malden and other members of the House) congratulating the Malden Catholic High School hockey team on its 2012 MIAA Super 8 tournament victory; Malden Catholic,—hockey team.

Resolutions (filed by Mr. Finn of Springfield and other members of the House) congratulating the Springfield Central High School Eagles boys varsity basketball team on its 2012 season and Division I state championship; Springfield Central,—basketball team.

Resolutions (filed by Ms. Hogan of Stow) congratulating Kenneth W. Roith on achieving the rank of Eagle Scout with the Boy Scouts of America; Kenneth W. Roith.

Resolutions (filed by Mr. Kaufman of Lexington and other members of the House) congratulating the Arlington Catholic High School girls hockey team on its 2012 season and MIAA Division I state championship; Arlington Catholic,—hockey team.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Aidan Edward Anthony Low on receiving the Eagle Award of the Boy Scouts of America; Aidan Edward Anthony Low.

Resolutions (filed by Mr. McMurtry of Dedham) honoring the Society of St. Vincent de Paul; and St. Vincent de Paul Society.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulating the Herren Project on establishing Project Purple; Project Purple.

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

Guests of the House.

During the session, Mr. McMurtry of Dedham briefly took the Chair, declared a brief recess, and introduced members of the Society of St. Vincent de Paul who were present in the House Chamber. St. Vincent de Paul Society.

Mr. McMurtry then read and presented to the honored guests resolutions of the House (adopted this day) recognizing the excellent work of the society and offering them the best wishes of the House of Representatives.

Papers from the Senate.

Bills

Coppinger
Bridge.

Designating a certain bridge in the city of Boston as the Honorable Francis X. Coppinger Bridge (Senate, No. 1787) (on a petition);

Charles Doyle
Bridge.

Designating a certain bridge in the city of Boston as the Honorable Charles Doyle Bridge (Senate, No. 1788) (on a petition); and

Anthony
DiDonato
Highway.

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (Senate, No. 2169) (on a petition);

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.

Belmont,—
meeting
notices.

A petition (accompanied by bill, Senate, No. 2223) of William N. Brownsberger (by vote of the town) for legislation to regulate certain town meeting notices in the town of Belmont, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Lowell,—
easements.

A petition (accompanied by bill) of Eileen M. Donoghue, Thomas A. Golden, Jr., Kevin J. Murphy and David M. Nangle for legislation to authorize the city of Lowell to acquire easements over certain parcels of land, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2233) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Designating a certain building in the city of Holyoke as the Raymond P. Murphy Jr. Congregate House (see House, No. 3575);

Increasing the membership of the town forest committee of the town of Natick (see House, No. 3869); and

Relative to the town of Swansea Volunteer Fire Department (see House, No. 3996, 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.

Orders of the Day.

General
Appropriation
Bill.

The House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4100), was read a second time.

Pending the question on ordering the bill to a third reading, at fourteen minutes after ten o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until eleven o'clock A.M.; and at fourteen minutes after eleven o'clock the House was called to order with Mr. Donato in the Chair. Recess.

After remarks on the question on ordering the bill to a third reading (the Speaker being in the Chair), Mr. Kuros of Uxbridge moved to amend it by inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 93. Subsection (a) of section 2 of chapter 63 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 15 through 17, inclusive, the following language: ‘; provided, however, that the excise imposed hereunder shall be no less than four hundred and fifty-six dollars.’

SECTION 94. Subsection (b) of section 2 of said chapter 63, as so appearing, is hereby further amended by striking out, in lines 25 through 27, inclusive, the following:—; provided, however, that in no case shall the excise imposed under this section amount to less than \$456.

SECTION 95. Section 38B of said chapter 63, as so appearing, is hereby amended by striking out, in lines 12 and 13, and in lines 25 and 26, inclusive, the following:— or four hundred and fifty-six dollars, whichever is greater.”

The amendment was rejected.

Ms. Peisch of Wellesley then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. Chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following section:—

Section 65. Every person who receives payments or distributions from an individual retirement account may choose the amount of income taxes to be withheld from such payment or distribution regardless of whether such payment is subject to federal withholding; provided, that the recipient files a form specifying said amount with the payer of the individual retirement account and the commissioner.”

The amendment was rejected.

Mr. Kaufman of Lexington and other members of the House then moved to amend the bill by inserting after section 38 the following section:

“SECTION 38A. Subsection (f) of section 1 of chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the first sentence the following sentence:— For purposes of clause (1), the making of a financial contribution, gift, bequest, donation or any other financial instrument or pledge in any amount or the donation or loan of any object of any value, or any combination of the foregoing, qualifying for deduction as a charitable contribution under section one hundred seventy (a) of the Code to any corporation, foundation, organization or institution, which is exempt from taxation under the provisions of section five hundred and one (c)(3) of the Code, shall not be used in any manner to determine domicile in the commonwealth or any other jurisdiction.”

The amendment was adopted.

General
Appropriation
Bill.

Mr. Chan of Quincy then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. Section 6 of chapter 64H of the General Laws is hereby amended by adding the following paragraphs:—

(yy) sales of new plug-in hybrid electric vehicles

(1) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meaning:

‘Plug-in hybrid electric vehicle’ means a motor vehicle, as defined in Massachusetts General Laws chapter ninety, section one, which:

(i) draws propulsion using a traction battery with at least 4 kilowatt hours of capacity;

(ii) uses an external source of energy to recharge such battery;

(iii) the original use of which commences with the taxpayer;

(iv) which is acquired for use or lease by the taxpayer and not for resale, and

(v) which is made by a manufacturer.

(2) This exemption is capped at \$1,000,000 per fiscal year

(3) This exemption shall expire on December 31, 2018.”.

The amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 93. Section 6 of chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(r) A taxpayer may take a credit against the taxes imposed by this chapter in an amount equal to the sales tax paid by the taxpayer under chapter 64H up to \$300 per tax year.

SECTION 94. The commissioner of revenue shall promulgate regulations necessary to implement the provisions of section 100 on or before December 1, 2012.

SECTION 95. The provisions of section 100 shall be effective for any tax year beginning on or after January 1, 2012.”.

The amendment was rejected.

Mr. Webster of Pembroke and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. Section 6 of chapter 64H of the General Laws is hereby amended by inserting the following new section:—

(x) Allowances afforded to a purchaser in a bundled cellular telephone transaction, so-called. For the purposes of this subsection, allowances exempt from taxation shall be the difference between the amount the dealer charges for a particular telephone in a bundled transaction and the price the dealer would charge for that same telephone in an unbundled transaction.”.

The amendment was rejected.

Mr. Webster and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. Section 5 of chapter 59 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after clause Twenty-second C the following clause:—

Twenty-second D. Real estate of service members and their spouses who are legal residents of the commonwealth who are veterans as defined in clause forty-three of section seven of chapter four, a disabled veteran or his surviving spouse and the surviving spouse of a service member killed in the line of duty that receives benefits in chapter 58 or this chapter may transfer or convey his residence or domicile, to which the disabled veteran or his surviving spouse and surviving spouse of a service member killed in the line of duty has assigned the benefit of the tax abatement listed under said chapter 58 or this chapter to a trust or conservatorship or other legal instrument passing ownership to his legal heirs or trustees, such disabled veteran or his surviving spouse and the surviving spouse of a service member killed in the line of duty, the trust or conservators shall be entitled to lawfully retain that formerly granted tax abatement to the residence or domicile until the death of the disabled veteran or his surviving spouse or the death of the surviving spouse of a service member killed in the line of duty, providing that the aforementioned remain residing in said residence or domicile until their death.”

The amendment was rejected.

Mr. Webster of Pembroke and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. The town may provide, by bylaw, a freeze on the rate and valuation of taxes on real property for any person who is sixty-five (65) years or older. The property taxes must have been imposed upon a residence that was occupied by the person claiming a freeze on the rate and valuation of taxes on real property as a principal place of residence as of the time of filing. No claimant shall receive a freeze on the rate and valuation of taxes on real property on more than one residence in any year. The confinement of the person to a hospital, nursing home, boarding home, or adult family home shall not disqualify the claim of a freeze on the rate and valuation of taxes on real property if:

- (a) The residence is temporarily unoccupied (minimum 3 months);
- (b) The residence is occupied by a spouse and/or a person financially dependent on the claimant for support; or
- (c) The residence is rented for the purpose of paying nursing home, hospital, boarding home, or adult family home costs.

The person claiming a freeze on the rate and valuation of taxes on real property must have owned as a principle residence at the time of filing, in fee, as a life estate, the residence on which the property taxes have been imposed or if the person claiming a freeze on the rate and valuation of taxes on real property lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this Act, a residence owned by a marital community or owned by co-tenants shall be deemed to be owned by each spouse or co-tenant, and any lease for life shall be deemed a life estate.

The person claiming a freeze on the rate and valuation of taxes on real property must be sixty-five years of age or older on December 31st of the year in which a freeze on the rate and valuation of taxes on real property claim is filed, PROVIDED, that any surviving spouse

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of a person who was receiving a freeze on the rate and valuation of taxes on real property at the time of the person's death shall qualify if the surviving spouse is sixty years of age or older and otherwise meets the requirements of this Act.

This Act does not apply to subsequent improvements to the property in the year in which the improvements are made. Subsequent improvements to the property shall be added to the value otherwise determined under this Act at their true and fair value in the year in which they are made.

The primary residence shall not contain more than five contiguous acres of land immediately surrounding such residence.

The Assessors shall provide application forms for a freeze on the rate and valuation of taxes on real property granted by this Act which shall require such information as may be necessary to determine the initial and continuing eligibility of the owner for a freeze on the rate and valuation of taxes on real property. A claimant must not owe any delinquent taxes on the residence for previous years.”.

The amendment was rejected.

Mr. Mariano of Quincy being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting the following fifteen sections:

“SECTION 38H. Section 2 of chapter 64H of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the words ‘6.25 per cent’ and inserting in place thereof the following words:— 5.833 per cent.

SECTION 38I. Section 2 of said chapter 64H of the General Laws, as so appearing, is hereby amended by striking out the words ‘5.833 per cent’ and inserting in place thereof the following words:— 5.417 per cent.

SECTION 38J. Section 2 of said chapter 64H of the General Laws, as so appearing, is hereby amended by striking out the words ‘5.417 per cent’ and inserting in place thereof the following words:— 5 per cent.

SECTION 38K. Section 30A of chapter 64H is hereby amended by striking out, in each instance in which it appears, the word ‘6.25’ and inserting in place thereof, in each instance, the following figure:— 5.833.

SECTION 38L. Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in each instance in which it appears, the figure ‘5.833’ and inserting in place thereof, in each instance, the following figure:— 5.417.

SECTION 38M. Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in each instance in which it appears, the figure ‘5.417’ and inserting in place thereof, in each instance, the following figure:— 5.

SECTION 38N. Section 2 of chapter 64I of the General Laws is hereby amended by striking out the words ‘6.25 per cent’ and inserting in place thereof the following words:— 5.833 per cent.

SECTION 38O. Section 2 of said chapter 64I of the General Laws, as so appearing, is hereby amended by striking out the words ‘5.833 per cent’ and inserting in place thereof the following words:— 5.417 per cent.

SECTION 38P. Section 2 of said chapter 64I of the General Laws, as so appearing, is hereby amended by striking out the words ‘5.417 per cent’ and inserting in place thereof the following words:— 5 per cent.

SECTION 38Q. Section 31A of chapter 64I is hereby amended by striking out, in each instance in which it appears, the figure ‘6.25’ and inserting in place thereof, in each instance, the following figure:— 5.833.

SECTION 38R. Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in each instance in which it appears, the figure ‘5.833’ and inserting in place thereof, in each instance, the following figure:— 5.417.

SECTION 38S. Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in each instance in which it appears, the figure ‘5.417’ and inserting in place thereof, in each instance, the following figure:— 5.

SECTION 38T. Sections 100, 103, 106, and 109, inclusive, of this act shall be effective on July 1, 2013.

SECTION 38U. Sections 101, 104, 107, and 110, inclusive, of this act shall be effective on July 1, 2014.

SECTION 38V. Sections 102, 105, 108, and 111, inclusive, of this act shall be effective on July 1, 2015.”

Pending the question on adoption of the amendment, Mr. Kaufman of Lexington moved to amend it by adding the following section:

“SECTION 38W. Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the executive office of administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the joint committee on revenue and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 119 members voted in the affirmative and 37 in the negative.

Further
amendment
adopted,—
yea and nay
No. 217.

[See Yea and Nay No. 217 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Jones, et als, as amended, then also was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting the following section:

“SECTION 38B. Chapter 64A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 7A, the following section:—

Section 7B. The sale of fuel to a city or town which having consumed the same for any municipal purpose shall be exempt from the excise established by this chapter.”

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Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following paragraph:

“Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the executive office of administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the joint committee on revenue and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

Further
amendment
adopted,—
yea and nay
No. 218.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 113 members voted in the affirmative and 38 in the negative.

[See Yea and Nay No. 218 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Jones, et als, as amended, then also was adopted.

Mr. Barrows of Mansfield and other members of the House then moved to amend the bill by inserting the following section:

“SECTION 38G. Section 1 of chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word ‘services.’ in line 204 the following new sentence:— In the case of the sale by a vendor of a mobile telecommunications device with mobile telecommunications services, the tax shall be imposed upon the sales price of the mobile telecommunications device.”

Pending the question on adoption of the amendment, Mr. Kaufman of Lexington moved to amend it by adding the following paragraph:

“Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the executive office of administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the joint committee on revenue and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

Further
amendment
adopted,—
yea and nay
No. 219.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. deMacedo of Plymouth; and on the roll call 93 members voted in the affirmative and 64 in the negative.

[See Yea and Nay No. 219 in Supplement.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Barrows, et als, as amended, then also was adopted.

An Order (offered by Mr. Binienda of Worcester) was considered forthwith, there being no objection; and it was adopted, as follows:

“*Ordered*, That, Notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representative Dempsey of Haverhill during deliberation on the General Appropriation Bill.”

Representative
Dempsey of
Haverhill,—
voting.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following five sections:

“SECTION 93. Section 1. Notwithstanding any general or special law to the contrary, for the days of October 7, 2012 through October 12, 2012 inclusive, the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

SECTION 94. Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of October 7, 2012 through October 12, 2012 inclusive.

SECTION 95. On or before June 30, 2013, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION 96. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

SECTION 97. No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 36 members voted in the affirmative and 117 in the negative.

Amendment
rejected,—
yea and nay
No. 220.

[See Yea and Nay No. 220 in Supplement.]

[Messrs. Fennell of Lynn and Wong of Saugus answered “Present” in response to their names.]

Therefore the amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by inserting the following three sections:

“SECTION 38C. Section 6 of chapter 64C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking, in lines 3 and 11, respectively, the figure ‘100½’ and inserting in place thereof the following:— 125½.

SECTION 38D. Section 13 of chapter 64C of the General Laws, as so appearing, is hereby amended by striking, in line 54, the words ‘twenty-five’ and inserting in place thereof the following:— twelve and one half.

SECTION 38E. Section 6 of chapter 64C of the General Laws, as so appearing, is amended by adding at the end thereof:— All cigarette

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excise revenues in excess of the amount received in the fiscal year ending June 30, 2012, shall be credited to the Massachusetts Transportation Trust Fund for the purpose of subsidizing the cost of fares for the Massachusetts Bay Transportation Authority.”

Pending the question on adoption of the amendment, Mr. Kaufman of Lexington moved to amend it by adding the following section:

“SECTION 38F. Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the executive office of administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the joint committee on revenue and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

Further
amendment
adopted,—
yea and nay
No. 221.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow of Norfolk; and on the roll call 122 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 221 in Supplement.]

[Mr. deMacedo of Plymouth answered “Present” in response to his name.]

Therefore the further amendment was adopted.

The amendment offered by Mr. Winslow, as amended then also was adopted.

Mr. Frost of Auburn then moved to amend the bill by inserting the following section:

“SECTION 91A. Notwithstanding any general or special law to the contrary, the department of revenue shall study the tax revenue loss incurred by establishing a deduction, under section 3 of chapter 62, similar to the deduction described in section 165(d) of the Code, to the extent, if any, that that amount of such losses occurred in gaming facilities located in Massachusetts. The department shall report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives and with the house and senate chairs of the joint committee on revenue not later than December 31, 2012.”

The amendment was adopted; and the bill (House, No. 4100, amended) was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Adams of Andover moved to amend it by inserting before the effective date sections (which were subsequently renumbered) the following seven sections:

“SECTION 93. Section 8A of chapter 239 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting, on line 19, after the semicolon, the words:— (1) the tenant or occupant

deposits with the clerk all rent due prior to final disposition of the plaintiff's action.

SECTION 94. Section 8A of said chapter 239, is hereby amended by striking out, on line 21, after the word 'rent', the word 'knew' and inserting in place thereof the words:— was given written notice.

SECTION 95. Section 8A of said chapter 239, is hereby amended by inserting, on line 18, after the words 'under this section' the words:— when the tenant otherwise applies rent pursuant to section one hundred twenty-seven of chapter one hundred eleven L or.

SECTION 96. Section 8A of said chapter 239, is hereby amended by striking out the word 'may' throughout fourth paragraph, lines 56 through 77, and inserting in place thereof the word:— shall.

SECTION 97. Section 8A of said chapter 239 is hereby amended by striking out, on line 59, the words, 'the tenant or occupant claiming under this section to pay to' and inserting in place thereof the words:— to pay the landlord, from the deposit required by the second paragraph.

SECTION 98. Section 8A of said chapter 239 is hereby amended by striking out, on lines 62 through 64, the words:— or to make a deposit with the clerk of such amount or such installments thereof from time to time as the court may direct, for the occupation of the premises.

SECTION 99. Section 8A of said chapter 239 is hereby amended by striking out, on line 76, the words:— or for use and occupation.”.

After debate the amendment was rejected.

Mr. Markey of Dartmouth and other members of the House then moved to amend the bill in section 2

In item 7070-0065, in line 3, by striking out the words “or independent”, in line 4, by striking out the words “, or any other approved institution furnishing a program of higher education”, in said line, by inserting after the word “nursing,” the following: “within Massachusetts or independent college, university or other approved institution furnishing a program of higher education within Massachusetts with an endowment of less than \$1,000,000,000.00 as of December 31, 2011”, and in said item by striking out the figures “86,507,756” and inserting in place thereof the figures “79,276,756”; and

In item 7100-0200, in line 8, by inserting after the word “maintenance;” the following : “provided further, that no less than \$7,231,000 be expended to provide financial assistance to Massachusetts students enrolled at the University of Massachusetts”, and in said item by striking out the figures “417,982,753” and inserting in place thereof the figures “425,213,453”.

After remarks the amendments were rejected.

Mr. Winslow of Norfolk then moved to amend it by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 93. The president of the University of Massachusetts shall prepare a report regarding the feasibility of offering a three year program of study for undergraduate degree which costs students less than a four year program of study, to reduce the cost of undergraduate education in the commonwealth. Such report shall be filed with the Clerk of the Senate and Clerk of the House no later than January 15, 2013.”.

The amendment was adopted.

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Amendment
rejected,—
yea and nay
No. 222.

Mr. Hill of Ipswich and other members of the House then moved to amend the bill in section 2, in line 7061-0012, by striking out the figures “221,575,000” and inserting in place thereof the figures “225,000,000”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill; and on the roll call 34 members voted in the affirmative and 121 in the negative.

[See Yea and Nay No. 222 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following thirteen sections:

“SECTION 94. Subsection (a) of section 13 of chapter 13 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking, in line 1, the figure ‘17’ and inserting in place thereof the following figure:— 18.

SECTION 95. Subsection (a) of section 13 of said chapter 13, as so appearing, is hereby amended by striking, in line 8, the word ‘consumers.’ and inserting in place thereof the following words:— consumers; and a vocational-technical licensed practical nursing educator or administrator who shall be selected from a group of three nominees, to be nominated by the Massachusetts Association of Vocational Administrators.

SECTION 96. Section 32 of said chapter 13, as so appearing, is hereby amended by striking, in line 4, the word ‘eight’ and inserting in place thereof the following figure:— 9.

SECTION 97. Section 32 of said chapter 13, as so appearing, is hereby amended by inserting after the word ‘forty-one.’, in line 8, the following sentence:— 1 of the appointees shall be a vocational-technical electrical educator or administrator, who shall be selected from a group of three nominees, to be nominated by the Massachusetts Association of Vocational Administrators.

SECTION 98. Section 36 of said chapter 13, as so appearing, is hereby amended by striking, in line 3, the word ‘nine’ and inserting in place thereof the following figure:— 10.

SECTION 99. Section 36 of said chapter 13, as so appearing, is hereby amended by inserting, in line 16, after the word ‘systems,’ the following words:— 1 of whom shall be a vocational-technical plumbing educator or administrator who shall be selected from a group of three nominees to be nominated by the Massachusetts Association of Vocational Administrators,.

SECTION 100. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in line 2, the word ‘seven’ and inserting in place thereof the following figure:— 8.

SECTION 101. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in line 35, the word:— and.

SECTION 102. Section 42 of said chapter 13, as so appearing, is hereby amended by striking, in line 36, the word ‘cosmetology’ and inserting in place thereof the following words:— cosmetology; and (c) one member shall be a vocational-technical cosmetology educator or administrator who shall be selected from a group of three

nominees, to be nominated by the Massachusetts Association of Vocational Administrators.

SECTION 103. Section 101 of said chapter 13, as so appearing, is hereby amended by striking, in line 4, the figure '5' and inserting in place thereof the following figure:— 6.

SECTION 104. Subsection (a) of section 101 of said chapter 13, as so appearing, is hereby amended by inserting, after the word 'work,' in line 9 the following words:— , 1 of whom shall be a vocational-technical sheet metal educator or administrator who shall be selected from a group of three nominees, to be nominated by the Massachusetts Association of Vocational Administrators,.

SECTION 105. Section 1 of chapter 74 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the definition of 'service programs' contained in lines 43 to 44, inclusive, and inserting in place thereof the following definition:—

'Service programs', the preparation of students in occupational areas such as hotel and lodging, cosmetology, child care or any service occupation that by its nature is characterized as being a service, professional or non-professional. Such programs shall be in compliance with the program approval criteria regulations published by the state board.

SECTION 106. Chapter 74 of the General Laws, as so appearing, is hereby amended by inserting after section 55 the following section:—

Section 56. The district trustees shall establish a program, in collaboration with the advisory committee, the director of the department of career services and a representative of the local workforce investment board, to expand not-for-credit vocationally-oriented instruction provided through contracts with Massachusetts employers. The program shall allow interested business partners to sponsor a prospective or current employee for training provided by the vocational school at the expense of the employer. Each vocational school shall report not later than December 31, annually, to the commissioner of education on the level of not-for-credit vocationally-oriented instruction provided in the preceding fiscal year and the anticipated level of such instruction in the current fiscal year. The report shall detail enrollment levels, revenues received, sources of revenues, recruitment tools, the number of service contracts established with Massachusetts employers and such other information as the commissioner may require. The commissioner shall prepare a comprehensive report of the information and present copies of which to the board of higher education and the house and senate chairs of the joint committee on labor and workforce development not later than March 31, annually."

Pending the question on adoption of the amendment, Ms. Walz of Boston moved to amend it by adding the following section:

"SECTION 107. There is hereby established a commission on vocational-technical education in the twenty first century, to investigate and study the feasibility of authorizing public vocational-technical high schools to award post-secondary associates degrees. The commission shall consist of 14 members: the secretary of education or the secretary's designee who shall serve as chair of the commission; 2 members of the house of representatives, to be appointed by the speaker of the house; 2 members of the senate, to be appointed by the senate president; 4 members to be appointed by the Massachusetts Association of

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Vocational Administrators; 3 individuals to be appointed by the governor; the commissioner of higher education or a designee; and the commissioner of workforce development or a designee. The commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with any drafts of legislation necessary to carry out such recommendations, by filing the same with the clerks of the senate and house who shall forward the same to the chairs of the joint committee on education on or before December 31, 2013.”

The further amendment was adopted.

Amendment
adopted,—
yea and nay
No. 223.

After debate on the question on adoption of the amendment, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 154 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 223 in Supplement.]

Therefore the amendment, as amended, was adopted.

Consolidated
amendments
(local aid
and
education).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 0640-0300, by striking out the figures “5,000,000” and inserting in place thereof the figures “6,500,000”;

In item 3000-5000, by striking out the figures “7,500,000” and inserting in place thereof the figures “8,000,000”;

By striking out item 3000-5075 and inserting in place thereof the following item:

“3000-5075 For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to enhance community-wide capacity building efforts within statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall fall within the

quality standards established by the Massachusetts Quality Rating and Improvement System; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program quality through participation in the Massachusetts Quality Rating and Improvement System, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practices, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working families or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary.....

\$7,500,000”;

In item 3000-7000, by striking out the figures “10,185,557” and inserting in place thereof the figures “10,463,346”;

In item 3000-7050, in line 23, by inserting after “funded through this line item” the following: “the home-based, school readiness and family support program known as the parent-child home program,”;

In item 7000-9101, by adding the following: “; provided, that notwithstanding section 19A of chapter 78 of the General Laws or any other general or special law to the contrary, for the fiscal year 2013 state aid to public libraries program, the board of library commissioners shall consider that Fitchburg has met the standard of minimum hours of service as provided in section 19B of said chapter 78 and defined in 605 CMR 4.01(3) and further defined in board policies for the state aid program; provided further, that the board shall grant temporary certification to Fitchburg by August 31, 2012, upon receipt of a preliminary report showing compliance with the materials expenditure requirement during fiscal year 2012 and showing that the library has met the municipal appropriation requirement, or is likely to qualify for a waiver of said requirement, in the 2013 state aid to public libraries program; and provided further, that in order for Fitchburg to retain this certification and receive a grant award it shall successfully complete the annual certification process of the board in fiscal year 2013”;

In item 7000-9401, in line 10, by inserting after the following: “2012 distribution” the following: “; and provided further, that the board shall provide funds for the continued operation of a single regional library system to serve the different geographic regions of the commonwealth and requiring that physical locations be maintained in

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both eastern and western Massachusetts to serve the residents of those regions”, and by striking out, in said item, the figures “9,131,475” and inserting in place thereof the figures “9,231,475”;

By striking out item 7009-6400 and inserting in place thereof the following item:

“7009-6400 For grants to establish and operate high-quality, intensive and targeted programs that will rapidly increase English language learning for middle and high school students in school districts serving Gateway Cities; provided, that grant applications must provide at minimum, for after-school enrichment academies to operate during the spring of 2013; provided further, that applications may also provide for acceleration academies to be held during school vacations and/or for Saturday sessions during the spring of 2013; provided further, that funds may be set aside for the administration of these programs ; and provided further, that \$850,000 shall be set aside for English language acquisition professional development and the implementation of sheltered English immersion \$2,600,000”;

By inserting after item 7009-6400 the following item:

“7009-6402 For grants to support the establishment of career academies in Gateway Cities, and to build stronger relationships and partnerships among high schools, institutions of higher education, local employers, and workforce development entities, in order to create multiple and seamless pathways to employment; provided, that such funds shall be used to establish Education and Industry Coordinating Councils (EICCs); provided further, that the EICCs shall be chaired by the district superintendent and chair of the local workforce investment boards, and shall include representatives from district high schools, institutions of higher education, industry partners, and local/regional employers; provided further, that such funding shall be used to engage in planning to establish career academies or to plan for the establishment of such academies during the following fiscal year \$500,000”;

In item 7010-0005, in line 2, by inserting after the word “education” the words “; provided, that funds shall be expended for the oversight of education collaboratives”, and in said item by striking out the figures “13,036,906” and inserting in place thereof the figures “13,424,188”;

In item 7010-0012, in line 5, by inserting after the word “schools” the words “; provided further, that all grant applications submitted to and approved by the department of elementary and secondary education shall include a detailed line item budget specifying how such funds shall be allocated and expended;”, and in said item by striking out the figures “16,642,582” and inserting in place thereof the figures “18,142,582”;

By striking out item 7027-0019 and inserting in place thereof the following item:

“7027-0019 For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of elementary and secondary education, in cooperation with the executive office of labor and workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-career transition program; provided further, that this program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay salaries to provide mentoring and instruction on the job and to work closely with teachers; provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job; and provided further, that no funds shall be expended for personnel costs, prior appropriation continued \$2,770,000”;

In item 7035-0002, by adding the following: “; and provided further, that not less than \$150,000 be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers.”, and in said item by striking out the figures “29,173,112” and inserting in place thereof the figures “29,923,112”;

By striking out item 7035-0035 and inserting in place thereof the following item:

“7035-0035 For implementation of a competitively bid, statewide performance-based, integrated program to drive a school culture of high expectations and dramatically increase participation and performance in Advanced Placement courses, particularly among underserved populations, to prepare students for college and career success in science, technology, engineering and mathematics; provided, that these funds shall support all of the following program elements, without exception, for each school: open access to courses, equipment and supplies for new and expanded AP courses, support for the costs of AP exams and support for student study sessions; provided further, that these funds support teacher professional develop-

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ment, including a College Board endorsed AP summer institute for AP teachers; provided further, that such program shall provide a matching amount of at least \$1 million in private funding; provided further, that the program be chosen through a single competitive process and the funds dispersed by the beginning of the 2012-2013 school year to cover costs expended between August 1, 2012 and July 31, 2013; provided further, that this program shall work in conjunction with an existing, separately funded statewide pre-AP program; provided further, that all districts that participated in fiscal year 2012 shall benefit from the program with the same proportion of funds available in fiscal year 2013; and provided further, that the department shall deliver to the legislature an independent evaluation of these programs and their impact on student achievement, particularly as it relates to closing achievement gaps by January 11, 2013.....

\$1,750,000”;

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town’s limits; provided, that any grants provided under this item shall be expended by a school committee without further appropriation

\$1,300,000”;

In item 7061-0928, in line 9, by inserting after the words “General Laws” the following: “; provided further, that the department shall prepare and submit an annual report describing and analyzing the implementation of the pilot program in all participating schools to the joint committee on education, the house and senate committees on ways and means, and the office of the state treasurer on or before September 30 of each pilot year;”;

In item 7061-9404, in line 2, by striking out the year “2016” and inserting in place thereof the year “2017”, in line 21, by striking out the year “2014” and inserting in place thereof the year “2015”, in line 35, by striking out the year “2015” and inserting in place thereof the year “2016”, in line 46, by striking out the year “2016” and inserting in place thereof the year “2017”, in line 66, by striking out the year “2016” and inserting in place thereof the year “2017”, and by striking out the figures “9,094,804” and inserting in place thereof the figures “9,575,175”;

In item 7061-9412 by striking out the figures “13,918,030” and inserting in place thereof the figures “14,168,030”;

By inserting after item 7061-9611 the following item:

“7061-9614 For the alternative education grant program established in section 1N of chapter 69 of the General Laws; provided, that the commissioner shall allocate funds for both subsections (a) and (b) of said section 1N of said chapter 69; and

provided further, that no funds shall be expended
for personnel costs \$146,140”;

In item 7061-9626 by striking out the figures “1,000,000” and inserting in place thereof the figures “2,000,000”;

In item 7061-9634 by striking out the figures “250,000” and inserting in place thereof the figures “350,000”;

By inserting after item 7061-9804 the following item:

“7061-9810 For regional bonus aid pursuant to M.G.L. Chapter 71
Section 16(D)(g) \$251,950”;

In item 7066-0000 by inserting after the words “available to such institutions” the following: “; provided further, \$1,000,000 shall be made available for a State University Internship Incentive Program; provided further, the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institutions internship incentive program; provider further, that the commonwealth’s contribution shall be equal to \$1 for every \$1 privately contributed to each university’s board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be no greater than \$1,000,000; provided further, that funds from this program shall not result in direct or indirect reduction in the commonwealth’s appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for said program”, and in said item by striking out the figures “1,728,649” and inserting in place thereof the figures “2,828,649”;

In item 7066-0024 by striking out the figures “1,300,000” and inserting in place thereof the figures “1,400,000”;

In item 7070-0065 by striking out the figures “86,507,756” and inserting in place thereof the figures “87,607,756”;

In item 7077-0023 by striking out the figures “2,000,000” and inserting in place thereof the figures “3,250,000”;

In item 7100-0200, in line 14, by inserting after the words “Fall River” the following: “; provided further that no less than \$75,000 be allocated for the Clemente Course in the Humanities, administered by the Massachusetts Foundation for the Humanities in partnership with the University of Massachusetts Boston and the University of Massachusetts Dartmouth and local social service agencies, which provides college-level humanities instruction and support service free of charge and for college credit to low income adults; provided, that the funds shall be contingent upon a match of not less than \$1 in federal contributions or \$1 in private or corporate contributions for every \$1 in state grant funding; and provided further, that all contributions be invested in a permanent endowment for the benefit of the Clemente Course in the Humanities and other humanities programs designed for low income communities in Massachusetts”; and in said item by striking out the figures “417,982,753” and inserting in place thereof the figures “418,057,753”;

By striking out section 87 and inserting in place thereof the following section:

“SECTION 87. The commissioner of higher education, in consultation with the presidents of the community colleges and representatives

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of the Massachusetts Teachers Association, shall develop a funding formula for the community colleges which incorporates the allocation of appropriations to the individual community colleges based, in part, on performance. In developing the system of allocations, the commissioner and community college presidents shall consider: (1) accurate enrollment data for each college and the operational goals and needs for each college; (2) institutional performance with respect to clearly defined goals and metrics; and (3) the relationship of the allocation formula to state initiatives relative to innovation and institutional action in support of workforce development, partnerships with commonwealth businesses and industry, collaboration with state universities and vocational-technical schools, and overall revenue available to each institution.

The commissioner of higher education, in consultation with the presidents of the community colleges, shall establish the goals and metrics for measuring community college performance. The goals and metrics shall include, but not be limited to: the educational goals and metrics included in the Vision Project, including those related to the improvement of graduation and student success rates and the closing of the achievement gaps for low income and moderate income students, adult students, and students requiring remediation upon entry; and alignment of degree and certificate programs with existing and emerging business and industry sectors in the commonwealth. In addition, a portion of performance funding may be utilized by the board of higher education to provide grants to community colleges based on, but not limited to, the following: coordinated procurement of goods and services among the community colleges and other public higher education institutions, including, but not limited to, consolidation of information technology platforms and services; undertaking innovative methods for delivering quality higher education that increase capacity, reduce costs, and promote student completion; engaging in statewide and regional collaborations with other public higher education institutions that reduce costs, increase efficiency, and promote quality, including, but not limited to, in the areas of academic programming and campus management; and improving student learning outcomes assessments set forth by the board of higher education under its Vision Project.

The commissioner of higher education shall submit a report including, but not limited to, the funding formula, clearly defined goals and metrics for the performance-based portion of the formula, and other recommendations relative to the promotion of stable, equitable funding of the institutions including efforts to contain the growth in student costs and borrowing. Said report shall be filed with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance on or before December 1, 2012.”; and

By inserting before the effective date sections (which were subsequently renumbered) the following two sections:

“SECTION 108. Notwithstanding any general or special law to the contrary, the division of purchase services of the operational services division which, under Section 22N of Chapter 7 of the General Laws, as most recently amended by Chapter 257 of the Acts of 2008, is responsible for determining prices for programs under chapter 71B of

the General Laws, shall authorize the annual price for out-of-state purchasers requested by a program, not to exceed a maximum price determined by the division by identifying the most recent price calculated for the program and applying the estimated rate of inflation for each year, as determined by the division pursuant to said section 22N of said chapter 7, in which the rate of inflation is frozen beginning with fiscal year 2004, in a compounded manner for each fiscal year.

SECTION 109. Notwithstanding any general or special law to the contrary, the department of education shall file a report examining the high school dropout rates for students denied entry to vocational schools with the clerks of the senate and the house of representatives who shall forward the same to the chairs of the joint committee on education and the chairs of the house and senate committees on ways and means on or before June 30, 2013.”

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Ms. Peisch of Wellesley; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 224 in Supplement.]

Therefore the amendments were adopted.

Pending the question on passing the bill, as amended, to be engrossed, at five minutes after six o'clock P.M., on motion of Mr. Donato of Medford (Mr. Mariano of Quincy being in the Chair), the House recessed until ten minutes after seven o'clock P.M.; and at sixteen minutes after seven o'clock the House was called to order with Mr. Donato in the Chair.

Mr. Kulik of Worthington and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following thirteen sections:

“SECTION 110. Chapter 44B of the General Laws is hereby amended by striking out section 2 and inserting in place thereof the following section:—

‘Acquire’, to obtain by gift, purchase, devise, grant, rental, purchase, lease or otherwise; provided, however that ‘acquire’ shall not include a taking by eminent domain, except as provided in this chapter.

‘Annual income’, a family’s or person’s gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

‘Capital improvement’, reconstruction or alteration of real property that (1) materially adds to the value of the real property, or appreciably prolongs the useful life of the real property, (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

‘Community housing’, low and moderate income housing for individuals and families, including low or moderate income senior housing.

‘Community preservation’, the acquisition, creation and preservation of open space, the acquisition, creation and preservation of

Amendments
(local aid
and
education)
adopted,—
yea and nay
No. 224.

Recess.

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historic resources and the creation and preservation of community housing.

‘Community preservation committee’, the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

‘Community Preservation Fund’, the municipal fund established under section 7.

‘Historic resources’, a building, structure, vessel, real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archaeology, architecture or culture of a city or town.

‘Legislative body’, the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

‘Low income housing’, housing for those persons and families whose annual income is less than 80 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

‘Low or moderate income senior housing’, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

‘Maintenance’, incidental repairs which neither materially add to the value of the property or appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness.

‘Moderate income housing’, housing for those persons and families whose annual income is less than 100 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

‘Open space’, shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

‘Preservation’, protection of personal or real property from injury, harm or destruction.

‘Real property’, land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

‘Real property interest’, a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condi-

tion broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

‘Recreational use’, active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and non-commercial youth and adult sports, and the use of land as a park, playground or athletic field. ‘Recreational use’ shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

‘Rehabilitation’, capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended use, including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes. With respect to historic resources, rehabilitation shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior’s Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68. With respect to land for recreational use, rehabilitation shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

‘Support of Community housing’, shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to housing, for the purpose of making housing affordable.

SECTION 111. Section 3 of chapter 44B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding after paragraph (b) the following new paragraph:—

(b $\frac{1}{2}$) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, as an alternative to subsection (b), the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not less than 1 per cent of the real estate tax levy against real property, and making an additional commitment of funds by dedicating revenue not greater than 2 per cent of the real estate tax levy against real property; provided, however, that additional funds so committed shall come from other sources of municipal revenue, including, but not limited to, hotel excise taxes pursuant to chapter 64G, linkage fee and inclusionary zoning payments, however authorized, the sale of municipal property pursuant to section 3 of chapter 40, parking fines and surcharges pursuant to sections 20, 20A, and 20A $\frac{1}{2}$ of chapter 90, existing dedicated housing, open space and historic preservation funds, however authorized, gifts received from private sources for community preservation purposes, and provided further that additional funds so committed shall not include any federal or state funds. The total funds committed to purposes authorized under this chapter by means of this subsection shall not exceed 3 per cent of the real estate tax levy against real property, less exemptions adopted. In the event that the municipality shall no longer dedicate all or part of the additional funds to community preservation, the

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surcharge of not less than 1 per cent shall remain in effect, but may be reduced pursuant to section 16.

SECTION 112. Subsection (e) of said section 3 of chapter 44B, as so appearing, is hereby amended by inserting the following new clause:—

(4) for \$100,000 of the value of each taxable parcel of class 3, commercial property, and class four, industrial property as defined in section 2A of said chapter 59.

SECTION 113. Subsection (b) of section 5 of said chapter 44B, as so appearing, is hereby amended by inserting after the word 'preservation', in lines 23 and 24, the words:—, including the consideration of regional projects for community preservation.

SECTION 114. Said subsection (b) of said section 5 of said chapter 44B, as so appearing, is hereby further amended by striking paragraph (2) and inserting in place thereof the following paragraph:—

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter may not be used for maintenance. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

SECTION 115. Said section 5 of said chapter 44B, as so appearing, is further amended by striking out subsection (d) and inserting in place thereof the following subsection:—

(d) After receiving recommendations from the community preservation committee, the legislative body shall then take such action and approve such appropriations from the Community Preservation Fund as set forth in section 7, and such additional non-Community Preservation Fund appropriations as it deems appropriate to carry out the recommendations of the community preservation committee. In the case of a city, the ordinance shall provide for the mechanisms under which the legislative body may approve and veto appropriations made pursuant to this chapter, in accordance with the city charter.

SECTION 116. Said chapter 44B, as so appearing, is hereby amended by striking out section 6 and inserting in place thereof the following section:—

Section 6. In every fiscal year and upon the recommendation of the community preservation committee, the legislative body shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing. In each fiscal year, the legislative body shall make appropriations from the Community Preservation Fund as it deems necessary for the

administrative and operating expenses of the community preservation committee, but the appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund. The legislative body may also make appropriations from the Community Preservation Fund as it deems necessary for costs associated with tax billing software and outside vendors necessary to integrate such software for the first year that a city or town implements the provisions of this chapter; provided, however, that the total of any administrative and operating expense of the community preservation committee and the first year implementation expenses do not exceed 5 per cent of the annual revenues in the Community Preservation Fund.

Funds that are set aside shall be held in the Community Preservation Fund and spent in that year or later years, but funds set aside for a specific purpose shall be spent only for the specific purpose. Any funds set aside may be expended in any city or town in the commonwealth. The community preservation funds shall not replace existing operating funds, only augment them.

SECTION 117. The second paragraph of section 7 of said chapter 44B, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The following monies shall be deposited in the fund: (i) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 4 and 11; (ii) additional funds appropriated or dedicated from allowable municipal sources pursuant to subsection (b½) of section 3, if applicable; (iii) all funds received from the commonwealth or any other source for such purposes; and (iv) proceeds from the disposal of real property acquired with funds from the Community Preservation Fund.

SECTION 118. Said chapter 44B, as so appearing, is hereby amended by striking out section 10 and inserting in place thereof the following section:—

Section 10. (a) The commissioner of revenue shall annually on or before November 15 disburse monies from the fund established in section 9 to cities and towns that have accepted sections 3 to 7, inclusive, and notified the commissioner of their acceptance. The community shall notify the commissioner of the date and terms on which the voters accepted said sections 3 to 7, inclusive. The municipal tax collecting authority shall certify to the commissioner the amount the city or town has raised through June 30 by imposing a surcharge on its real property levy and shall certify the percentage of the surcharge applied. In the event a city or town accepts this act pursuant to subsection (b½) of section 3, the municipal tax collecting authority shall certify to the commissioner by October 30, the maximum additional funds the city or town intends to transfer to the Community Preservation Fund from allowable municipal sources for the following fiscal year. Once certified, the city or town may choose to transfer less than the certified amount during the following fiscal year.

(b) The commissioner shall multiply the amount remaining in the fund after any disbursements for operating and administrative expenses pursuant to section 9c by 80 per cent. This amount distributed in the first round distribution shall be known as the match distribution. The first round total shall be distributed to each city or town accepting said

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sections 3 to 7, inclusive, in an amount not less than 5 per cent but not greater than 100 per cent of the total amount raised by the additional surcharge on real property by each city or town and, if applicable, the additional funds committed from allowable municipal sources pursuant to subsection (b)¹/₂ of section 3. The percentage shall be the same for each city and town and shall be determined by the commissioner annually in a manner that distributes the maximum amount available to each participating city or town.

(c) The commissioner shall further divide the remaining 20 per cent of the fund in a second round distribution, known as the equity distribution. The commissioner shall determine the equity distribution in several steps. The first step shall be to divide the remaining 20 per cent of the fund by the number of cities and towns that have accepted said sections 3 to 7, inclusive. This dividend shall be known as the base figure for equity distribution. This base figure shall be determined solely for purposes of performing the calculation for equity distribution and shall not be added to the amount received by a participant.

(d) Each city and town in the commonwealth shall be assigned a community preservation rank for purposes of the equity distribution. The commissioner shall determine each community's rank by first determining the city or town's equalized property valuation per capita ranking, ranking cities and towns from highest to lowest valuation. The commissioner shall also determine the population of each city or town and rank each from largest to smallest in population. The commissioner shall add each equalized property valuation rank and population rank, and divide the sum by 2. The dividend is the community preservation raw score for that city or town.

(e) The commissioner shall then order each city or town by community preservation raw score, from the lowest raw score to the highest raw score. This order shall be the community preservation rank for each city or town. If more than 1 city or town has the same community preservation raw score, the city or town with the higher equalized valuation rank shall receive the higher community preservation rank.

(f) After determining the community preservation rank for each city or town in the commonwealth, the commissioner shall divide all cities or towns into deciles according to their community preservation ranking, with approximately the same number of cities or towns in each decile, and with the cities or towns with the highest community preservation rank shall be placed in the lowest decile category, starting with decile 10. Percentages shall be assigned to each decile as follows:

decile 1	140 per cent of the base figure
decile 2	130 per cent of the base figure
decile 3	120 per cent of the base figure
decile 4	110 per cent of the base figure
decile 5	100 per cent of the base figure
decile 6	90 per cent of the base figure
decile 7	80 per cent of the base figure
decile 8	70 per cent of the base figure
decile 9	60 per cent of the base figure
decile 10	50 per cent of the base figure

After assigning each city or town to a decile according to their community preservation rank, the commissioner shall multiply the percent-

age assigned to that decile by the base figure to determine the second round equity distribution for each participant.

(g) Notwithstanding any other provision of this section, the total state contribution for each city or town shall not exceed the actual amount raised by the city or town's surcharge on its real property levy, and if applicable, additional funds committed from allowable municipal sources pursuant to subsection (b $\frac{1}{2}$) of section 3.

(h) When there are monies remaining in the trust fund after the first and second round distributions, and any necessary administrative expenses have been paid in accordance with section 9, the commissioner may conduct a third round surplus distribution. Any remaining surplus in the fund may be distributed by dividing the amount of the surplus by the number of cities and towns that have accepted this chapter. The resulting dividend shall be the surplus base figure. The commissioner shall then use the decile categories and percentages as defined in this section to determine a surplus equity distribution for each participant.

(i) The commissioner shall determine each participant's total state grant by adding the amount received in the first round distribution with the amounts received in any later round or rounds of distributions, with the exception of a city or town that has already received a grant equal to 100 per cent of the amount the community raised by its surcharge on its real property levy.

(1) Only those cities and towns that adopt the maximum surcharge pursuant to subsection (b) of section 3 and those cities and towns that adopt the maximum surcharge and additional funds committed from allowable municipal sources such that the total funds are the equivalent of 3 per cent of the real estate tax levy against real property pursuant to subsection (b $\frac{1}{2}$) of section 3 shall be eligible to receive additional state monies through the equity and surplus distributions.

(2) If less than 10 per cent of the cities and towns in the commonwealth have accepted sections 3 to 7, inclusive, and imposed and collected a surcharge on their real property levy, the commissioner may calculate the state grant with only 1 round of distributions, or in any other equitable manner.

(j) After distributing the trust fund in accordance with this section, the commissioner shall keep any remaining funds in the trust for distribution in the following year.

SECTION 119. Section 12 of said chapter 44B, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:—

(a) A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the Community Preservation Fund to pay a nonprofit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on said property.

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SECTION 120. Subsection (a) of section 16 of said chapter 44B, as so appearing, is hereby amended by inserting after the word ‘chapter’, in line 5, the following words:— , including reducing the surcharge to 1 per cent and committing additional municipal funds pursuant to subsection (b½) of section 3.

SECTION 121. Sections XX to XX (CPA sections) shall apply to all Community Preservation Fund appropriations approved by a city or town’s legislative body on or after the effective date of acceptance of chapter 44B of the General Laws in such city or town.

SECTION 122. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall beginning for fiscal year 2013 and in every fiscal year thereafter dispose of the consolidated net surplus in the budgetary funds in the following order to the extent that funds are available: (1) the comptroller shall transfer \$25,000,000 to the Massachusetts Community Preservation Trust Fund, established by section 9 of chapter 44B of the General Laws; and (2) the comptroller shall transfer the remaining balance from the General Fund to the Commonwealth Stabilization Fund.

(b) All transfers pursuant to this section shall be made from the undesignated fund balance in the budgetary funds proportionally from the undesignated fund balances; but no such transfers shall cause a deficit in any of the funds.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Kulik of Worthington; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 225 in Supplement.]

Therefore the amendments were adopted.

The Speaker being in the Chair,—

Mr. Fattman of Sutton then moved to amend the bill in section 2, in item 0411-1000, by adding the words “provided further, that no funds shall be expended from this item for promotional activities or public service announcements, as printed materials or otherwise, except in the case of a declared state of emergency”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call (Mr. Donato of Medford being in the Chair) 34 members voted in the affirmative and 121 in the negative.

[See Yeas and Nays No. 226 in Supplement.]

Therefore the amendment was rejected.

Mr. Fattman of Sutton then moved to amend the bill in section 2, in item 0511-0000, by adding the following: “provided further, that no funds shall be expended from this item for promotional activities or public service announcements, as printed materials or otherwise, except in the case of a declared state of emergency, within 3 months of the state election”. The amendment was rejected.

Mrs. Poirier of North Attleborough and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

Amendments
adopted,—
yea and nay
No. 225.

Amendment
rejected,—
yea and nay
No. 226.

“SECTION 123. Section 39M of chapter 30 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after the word ‘so’, on line 14, the following words:— provided, however, that at the expiration of the time for the filing thereof, if only one bid has been submitted, the awarding authority shall re-open the bidding process for time specified in the original request.”.

After remarks the amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following section:

“SECTION 123. No debt, account receivable or monies owed to the commonwealth shall be written off as uncollectable by any officer of the commonwealth until the Attorney General has engaged legal counsel to collect such debt, receivable or monies owed. The Attorney General shall designate such counsel as special assistant attorneys general and shall pay such counsel on a contingent fee basis only, up to 40 percent of any recovery on behalf of the commonwealth. The Attorney General shall procure such counsel by public competitive procurement among qualified counsel.”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 37 members voted in the affirmative and 118 in the negative.

Amendment
rejected,—
yea and nay
No. 227.

[See Yea and Nay No. 227 in Supplement.]

Therefore the amendment was rejected.

Mr. Fattman of Sutton then moved to amend the bill in section 2, in item 0610-0000, by adding the following: “provided further, that no funds shall be expended from this item for promotional activities or public service announcements, as printed materials or otherwise, except in the case of a declared state of emergency, within 3 months of the state election”. The amendment was rejected.

The same member then moved to amend the bill, in section 2, in item 0640-0010, by adding the following: “provided further, that no funds shall be expended from this item for promotional activities, as printed materials or otherwise within 3 months of the state election”. The amendment was rejected.

Mr. Fattman then moved to amend the bill in section 2, in item 0710-0000, by adding the following: “provided further, that no funds shall be expended from this item for promotional activities or public service announcements, as printed materials or otherwise, except in the case of a declared state of emergency, within 3 months of the state election”. The amendment was rejected.

Mr. Fattman of Sutton then moved to amend the bill in section 2, in item 0810-0000, by adding the following: “provided further, that no funds shall be expended from this item for promotional activities or public service announcements, as printed materials or otherwise, except in the case of a declared state of emergency, within 3 months of the state election”. The amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 123. Notwithstanding any general or special law to the contrary the State Auditor is hereby directed to account for every Commonwealth funded credit card distributed by all state agencies and quasi-independent agencies.”.

Amendment
rejected,—
yea and nay
No. 228.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 40 members voted in the affirmative and 115 in the negative.

[See Yea and Nay No. 228 in Supplement.]

Therefore the amendment was rejected.

Consolidated
amendments
(Constitutional
Officers
and state
administration).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 0524-0000 by striking out the figures “1,373,087” and inserting in place thereof the figures “1,873,087”;

In item 0526-0100 by inserting after the word “commission” the following: “; provided, that no less than \$50,000 shall be expended for the GAR Hall located in the City of Beverly”, and in said line item by striking out the figures “750,000” and inserting in place thereof the figures “800,000”;

In item 0900-0100 by striking out the figures “1,796,501” and inserting in place thereof the figures “1,843,501”;

In item 0920-0300 by striking out the figures “1,270,342” and inserting in place thereof the figures “1,295,342”;

In item 1599-0026 by inserting after the words “chapter 29 of the General Laws” the following words: “; provided further, that not less than \$750,000 shall be expended to fund a pilot program in Plymouth County, including projects of regionalized county government services”, and in said item by striking out the figures “5,000,000” and inserting in place thereof the figures “5,750,000”, and

In item 1201-0100 by striking out the figures “80,469,544” and inserting in place thereof the figures “82,719,544”;

In section 2E, in item 1599-6152, by striking out the figures “435,042,237” and inserting in place thereof the figures “415,042,237”.

In section 13, in line 86, by inserting after the words “with the” the words “State Secretary and the”, and, in line 88, by inserting after the word “programs” the words “and tours”;

In section 15, in line 96, by inserting after the words “with the” the words “State Secretary and the”, and, in line 98, by inserting after the word “programs” the words “and tours”; and

By inserting before the effective date sections (which were subsequently renumbered) the following seven sections:

“SECTION 123. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 in the following order to the extent that funds are available: (1) the comptroller shall transfer \$10,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; and (2) the comptroller shall transfer the remaining balance from the General Fund to the Commonwealth Stabilization Fund.

(b) All transfers pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from

the undesignated fund balances; but no such transfer shall cause a deficit in any of the funds.

SECTION 124. Section 14C of chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘association’, in line 13, the following words:— a public charity holding funds subject to the provisions of section 8 of chapter 12;

SECTION 125. Said section 14C of chapter 7 of the General Laws is hereby amended by adding, at the end thereof, the following:—

(h) The searchable website shall be updated to include items in subdivisions (1) through (6) of this section, if applicable, relative to any quasi-public agency in the commonwealth by December 31, 2017. For purposes of this section, ‘quasi-public agency’ shall mean any authority or entity established by the General Court to serve a public purpose including, but not limited to, Bay State Skills Corporation; Boston Metropolitan District; Centers of Excellence Corporation; Community Economic Development Assistance Corporation; Community Development Finance Corporation; Government Land Bank; Massachusetts Bay Transportation Authority; Massachusetts Business Development Corporation; Massachusetts Convention Center Authority; Massachusetts Corporations for Educational Telecommunications; Massachusetts Educational Loan Authority; Massachusetts Health and Educational Facilities Authority; Massachusetts Horse Racing Authority; Massachusetts Housing Finance Agency; Massachusetts Industrial Finance Agency; Massachusetts Industrial Service Program; Massachusetts Port Authority; Massachusetts Product Development Corporation; Massachusetts Technology Development Corporation; Massachusetts Technology Park Corporation; Massachusetts Department of Transportation; Massachusetts Turnpike Authority; Massachusetts Water Resources Authority; Pension Reserves Investment Management Board; State College Building Authority; Southeastern Massachusetts University Building Authority; Thrift Institutions Fund for Economic Development; University of Lowell Building Authority; University of Massachusetts Building Authority; and the Water Pollution Abatement Trust.

(i) The searchable website shall be updated to include items in subdivisions (1) through (6) of this section, if applicable, relative to any city, town or municipality in the commonwealth by December 31, 2017.

SECTION 126. Said section 14C of chapter 7 of the General Laws, as so appearing, is hereby amended by adding the following subsection:—

(j) the searchable website shall allow users to search by agency if such agency provides awards to a public charity holding funds subject to the provisions of section 8 of chapter 12.

SECTION 127. Section 3 of chapter 30A of the General Laws, as appearing in the 2010 Official Edition, is amended by inserting after the 2nd paragraph the following paragraph:—

The notice shall refer to the statutory authority under which the action is proposed; give the time and place of any public hearing or state the anticipated time of agency action; state the manner in which data, views, or arguments may be submitted to the agency by any inter-

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ested person; either state the express terms or describe the substance of the proposed action; and include any additional matter required by any law.

SECTION 128. Section 19 of chapter 32B of the General Laws, as most recently amended by chapter 68 of the acts of 2011, is hereby further amended by inserting at the end thereof the following subsection:—

(j) Notwithstanding any other general or special law to the contrary, in the event that an agreement, either executed or modified, was reached by an appropriate public authority and the public employee committee to transfer all subscribers, for whom the authority provides health insurance coverage, to the commission under subsections (e) and (f) of this section, its retirees, surviving spouses and their dependents may enroll in the dental insurance plan provided by the commission to retirees, surviving spouses and their dependents insured under chapter 32A, at premium contribution ratios that requires retirees, surviving spouses and their dependents to contribute 100 per cent of the dental insurance premium and administrative fee. The commission shall provide dental insurance coverage, under its plan for retirees, surviving spouses and their dependents insured under chapter 32A, to retirees, surviving spouses and their dependents who elect the coverage under this subsection, as it so provides health insurance coverage under subsections (e) and (f) of this section. The commission may charge an administrative fee, which shall not be more than 1 per cent of the cost of total dental insurance premiums for the retirees, surviving spouses and their dependents who enroll in the dental insurance plan under this section, to be determined by the commission which shall be considered as part of the cost of coverage for purposes of determining the contributions of the political subdivision and its retirees, surviving spouses and their dependents to the cost of insurance coverage by the commission.

SECTION 129. Section 23 of chapter 32B of the General Laws is hereby amended by inserting at the end thereof the following subsection:—

(i) Notwithstanding any other general or special law to the contrary, in the event that an agreement, either executed or modified, was reached by an appropriate public authority and the public employee committee to transfer all subscribers, for whom the authority provides health insurance coverage, to the commission under this section, its retirees, surviving spouses and their dependents may enroll in the dental insurance plan provided by the commission to retirees, surviving spouses and their dependents insured under chapter 32A, at premium contribution ratios that requires retirees, surviving spouses and their dependents to contribute 100 per cent of the dental insurance premium and administrative fee. The commission shall provide dental insurance coverage, under its plan for retirees, surviving spouses and their dependents insured under chapter 32A, to retirees, surviving spouses and their dependents who elect the coverage under this subsection, as it so provides health insurance coverage under this section. The commission may charge an administrative fee, which shall not be more than 1 per cent of the cost of total dental insurance premiums for the retirees, surviving spouses and their dependents who enroll in the dental insurance plan under this subsection, to be determined by the commission which

shall be considered as part of the cost of coverage for purposes of determining the contributions of the political subdivision and its retirees, surviving spouses and their dependents to the cost of insurance coverage by the commission.”

The amendments were adopted.

Recess.

At seven minutes before nine o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until the following day at ten o'clock A.M.; and at six minutes after eleven o'clock A.M. (Tuesday, April 24, 2012) the House was called to order with Mr. Donato in the Chair.

Recess.

Tuesday, April 24, 2012 (at 11:06 o'clock A.M.).

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.

Silent Prayer.

During the session (Mrs. Haddad of Somerset being in the Chair), at the request of Representative Jones of North Reading, the members, guests and employees stood in a moment of silent tribute for Representative Winslow's nephew, Brody Winslow, age 20, who was killed by an alleged drunk driver while riding his bike near his college campus last week. Brody was a stand-out soccer player in school who will be sadly missed by his three sisters, his parents, family and many friends.

Brody Winslow.

Guests of the House.

During the session, the Speaker took the Chair, declared a brief recess and introduced Albert R. Herren, a former member of the House from Fall River from 1985 to 1996, inclusive, who was accompanied by his son, Chris Herren. Mr. Walsh of Boston then took the Chair and presented resolutions (adopted during the previous session) congratulating Chris and the "Herren Project" on establishing Project Purple, a program created to assist in steering youth away from substance abuse. Chris, who is a former Boston Celtic and co-author of the book "Basketball Junkie: A Memoir", then addressed the House briefly. They were the guests of the Speaker and Messrs. Walsh of Boston, Mariano of Quincy and O'Day of Worcester.

Albert R. and Chris Herren.

Orders.

The following order (filed by Mr. Walsh of Lynn) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Friday, June 1, 2012, within which to make its final report on current Senate documents numbered 30, 32, 33, 44, 54, 57, 69, 70, 71, 269, 272, 273, 281,

Health Care Financing committee,—extension of time for reporting.

Health Care
Financing
committee,—
extension
of time for
reporting.

289, 292, 343, 357, 382, 455, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 504, 505, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 533, 536, 537, 538, 539, 541, 542, 543, 544, 545, 546, 547, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 733, 978, 979, 981, 982, 988, 989, 1079, 1082, 1093, 1094, 1101, 1107, 1121, 1123, 1164, 1177, 1179, 1235, 1893, 2006, 2057, 2156, 2164, 2167, 2177, 2181, 2182, 2195, 2209 and 2210 and current House documents numbered 45, 46, 47, 51, 52, 63, 64, 65, 74, 75, 76, 81, 182, 187, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 550, 554, 584, 598, 606, 623, 677, 680, 975, 984, 1100, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1418, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1428, 1431, 1433, 1435, 1467, 1472, 1478, 1488, 1492, 1494, 1498, 1500, 1501, 1507, 1513, 1514, 1518, 1519, 1521, 1523, 1530, 1543, 1856, 2039, 2079, 2080, 2081, 2084, 2085, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2316, 2333, 2342, 2362, 2373, 2375, 2452, 2682, 2683, 2685, 2765, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2876, 2880, 2900, 3104, 3105, 3106, 3134, 3354, 3367, 3480, 3543, 3627, 3696, 3904, 3984, 3995, 4023 and 4034.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Walsh of Lynn, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Provincetown,—
charter.

Representative Peake of Provincetown presented a petition (accompanied by bill, House, No. 4054) of Sarah K. Peake (by vote of the town) relative to amending the charter of the town of Provincetown as relates to the finance committee of said town; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

MCAS,—
foreign
language.

By Ms. Andrews of Orange, a petition (subject to Joint Rule 12) of Denise Andrews that the Department of Elementary and Secondary Education shall conduct a feasibility study concerning the inclusion of foreign languages on the MCAS.

Rose
Kennedy
Greenway.

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant and others for legislation to establish the Rose Fitzgerald Kennedy Greenway division of the Department of Conservation and Recreation.

Gas tax,—
suspension.

By Mr. Jones of North Reading (by request), a petition (subject to Joint Rule 12) of John Veinot relative to suspending the gas tax.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Transportation
improvements.

The House Bill financing improvements to the Commonwealth's transportation system (House, No. 4000, amended), came from the

Senate with the endorsement that said branch had non-concurred with the House in its further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House, No. 4400, as amended and engrossed by the House) to the Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2220.

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators McGee, Joyce and Hedlund had been appointed the committee on the part of the Senate.

Committee of conference.

On motions of Mr. Straus of Mattapoisett, the House insisted on its further amendment, concurred in the appointment of a committee of conference; and Representatives Straus, Cabral of New Bedford and Durant of Spencer were joined as the committee on the part of the House. Sent to the Senate to be noted.

Id.

Bills

Relative to rock wall climbing safeguards (Senate, No. 1217, amended in section 1, in lines 4, 7 and 11 by striking out the figures "10" and inserting in place thereof, in each instance, the figures "12"; and by inserting before the enacting clause the following emergency preamble:

Rock wall climbing.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide rock wall climbing safeguards, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.") (on a petition);

Designating a certain bridge in the town of Barre as the Purple Heart Bridge (Senate, No. 1724) (on a petition); and

Barre, — bridge.

Designating the birthplaces of Michael Bartlett and Dr. Elliot P. Joslin in the town of Oxford (Senate, No. 2232) (on Senate bill No. 2170);

Oxford,— birthplaces.

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.

Report of a Committee.

By Mr. Binienda of Worcester, for the committee on Rules of the two branches, acting concurrently, asking to be discharged from further consideration of the Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924),— 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.

Child suicide,— study.

Subsequently Mr. Binienda of Worcester, for said committee reported that the foregoing Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill regulating portable electronics insurance (House, No. 3954). Read; and referred, under Rule 33, to the committee on Ways and Means.

Electronic devices,— insurance.

Hamilton,—
development
corporation.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a recommitted joint petition, a Bill relative to Hamilton Development Corporation (House, No. 3710) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Stephen
Gladding,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (see House, No. 3935), 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 31 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Authorizing the licensing board for the city of Boston to grant restricted airport licenses for the sale of all alcoholic beverages and for the sale of wines and malt beverages at Logan International Airport (see House, No. 99); and

Relative to the supplemental reserve fund to ensure fiscal stability in the town of Swansea (see House, No. 3950);

(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.

General
Appropriation
Bill.

The House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interests, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4100, amended), was considered.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Aguiar of Fall River and other members of the House moved to amend it in section 2, in item 4800-0038, by adding the following: “and provided further, that not less than \$200,000 shall be expended for the Children’s Advocacy Center of Bristol County”. The amendment was adopted.

Messrs. Walsh of Lynn and Fennell of Lynn then moved to amend the bill in section 2, in item 7004-9316, in lines 9 and 10, by striking out the words “regional non-profit agencies” and inserting in place thereof the words “existing regional HomeBASE agencies”. The amendment was adopted.

Mr. Sullivan of Fall River then moved to amend the bill in section 2 by inserting after item 7004-0108 the following item:

“7004-0109 For the Interagency Council on Housing and Home-
lessness..... \$1,000,000”.

After remarks the amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 130. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Housing Finance Agency, herein referred to as the agency, shall establish an enhanced mortgage refinance program for real property located in the commonwealth to provide mortgage refinance products to all eligible participants. For the purpose of this section, eligible participants shall be all persons who reside in the Commonwealth who meet the following eligibility criteria: (1) has been assigned a credit rating greater than six hundred and eighty by each of the three major credit bureaus; (2) holds no history of default; (3) holds no history of bankruptcy; and (4) is not currently in default of mortgage payments due.

(b) Notwithstanding any general or special law to the contrary, \$100 million shall be encumbered from the Commonwealth Stabilization fund, established under section 2 of chapter 29, to be pledged to the agency as a mortgage refinance guarantee.

(c) Notwithstanding any general or special law to the contrary, the agency may charge a reasonable fee, as determined by the agency, to cover the expenses of administering the program and any liability that may arise given an anticipated rate of default; provided, however, that the fee charged to each borrower for mortgage refinance product shall not exceed 10% of the difference between the annual payment on the original mortgage and that of the refinanced mortgage.

(d) Notwithstanding any general or special law to the contrary, said guarantee on a refinanced mortgage sold to a borrower by the agency shall expire upon the sale of the property, at the time the borrower has refinanced with another lender, or at such time as the amount outstanding on the mortgage falls below 80% of the real property’s assessed value.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 30 members voted in the affirmative and 126 in the negative.

Amendment
rejected,—
yea and nay
No. 229.

[See Ye and Nay No. 229 in Supplement.]

Therefore the amendment was rejected.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 1107-2400 by striking out the figures “562,272” and inserting in place thereof the figures “586,112”;

In item 4110-0001 by striking out the words “For the office of the commissioner”, and inserting in place thereof the following: “For the operation of the Massachusetts Commission for the Blind, including the cost of sheltered workforce employee retirement benefits”;

In item 4110-1000, in line 5, by inserting after the word “network” the following: “; provided further, that not less than \$450,000 shall be expended for the deaf-blind community access network”;

In item 4120-4000 by adding the following: “; provided further that \$50,000 be expended for assistive technologies” and in said item by striking out the figures “12,229,279” and inserting in place thereof the figures “12,279,279”;

Consolidated
amendments
(housing
and social
services).

General
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Bill.

In item 4125-0100 by striking out the figures “5,354,020” and inserting in place thereof the figures “5,390,287”;

In item 4400-1000 by striking out the figures “54,084,750” and inserting in place thereof the figures “54,584,750”;

In item 4400-1100 by striking out the figures “60,528,893” and inserting in place thereof the figures “61,528,893”;

In item 4403-2000, in line 28, by inserting after the following: “1995 or any successor statute; provided further, that a” the following: “\$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public or subsidized housing;”, in line 29, by striking out the figures “75” and inserting in place thereof the figures “150”, and in line 78, by inserting after the word “representatives” the words “and the joint committee on children, families and persons with disabilities”;

In item 4405-2000 by inserting after the words “foster care benefit” the following: “; provided further, that not less than \$1,000,000 shall be made available for rate increases for level IV rest homes as defined in 105 CMR 150.001; provided further, that the secretary of health and human services may transfer an amount not to exceed \$1,000,000 from funds appropriated to line item 4403-2000 for said rate increase”;

In item 4408-1000 by adding the following: “; provided further, that not less than \$400,000 shall be made available for rate increases for level IV rest homes as defined in 105 CMR 150.001; provided further, that the secretary of health and human services may transfer an amount not to exceed \$400,000 from funds appropriated to line item 4403-2000 for said rate increase”;

In item 4408-1000, in line 62, by inserting after “with the clerks of the senate and house of representatives” the following: “and the joint committee on children, families and persons with disabilities”;

In item 4800-0015, in line 29, by inserting after the words “recoup amounts recommended by the state auditor” the following: “; provided further, that no later than October 31, 2012, the department shall promulgate and implement regulations which shall ensure that the department maintains an independent, timely and fair administrative hearing system; provided further, the department shall maintain and make available to the public during regular business hours all of its fair hearing decisions with identifying information removed, and a record of its fair hearings with identifying information removed, reflecting, for each hearing request, the date of the request, the date of the hearing, the length of any extensions granted to the party, the date of the hearing decision, the decision rendered by the hearing officer and the final decision rendered upon the Commissioner’s review; provided further, beginning on August 15, 2012, the department shall submit quarterly reports to the chairs of the joint committee on children, families, and persons with disabilities setting forth (a) the number of pending administrative appeals in which a decision has not been issued within 150 days of the hearing request and the number of them in which a hearing decision has been written by the hearing officer but not yet issued to the appellant, and (b) for each hearing that was requested after October 3, 2011, the date the hearing was requested, whether the hearing was held within 90 days of the request, whether the hearing officer rendered a decision within 150 days of the hearing request, and

whether the decision was issued to the appellant within 150 days of the request”;

In item 4800-0038 by adding the following: “; provided further, that funding shall be expended on children’s advocacy centers, services for child victims of sexual abuse and assault; provided further, that funds may be expended on programs that received funding in fiscal year 2012; provided further, that funding may be expended on supervised visitation programs; and provided further, that funds shall be expended for the Children’s Cove Cape and Islands Child Advocacy Center”;

In item 7004-0099, in line 42, by striking out the word “reaffirm” and inserting in place thereof the words “promulgate and uniformly enforce”, in line 52, by striking out the word “and”, and, in line 52, by inserting after the words “security requirements” the following: “; provided further, that not less than \$100,000 shall be expended to the town of Holbrook for a one-time community action grant which will fund an upgrade to town facilities; provided further, that not less than \$175,000 shall be expended annually for provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Inc. for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011; and provided further, that not less than \$50,000 shall be expended for the South Worcester Neighborhood Improvement Corporation so that it can continue to provide vital services to the poorest neighborhoods in the city of Worcester”;

In item 7004-0101, in line 4, by striking out the figure “8” and inserting in place thereof the figure “9”, in lines 15 and 16, by inserting after the words “condemnation or nonpayment of rent” the following: “caused by a documented loss of income within the past 12 months directly as a result of a job loss or medical condition”, in line 17, by inserting after the words “household seeking emergency shelter” the words “and who had no knowledge of the individual’s actions that resulted in such eviction”, in lines 17 and 18, after the words “attributable to a disability” by striking out the words “caused by a documented loss of income within the past 12 months directly as a result of a job loss or medical condition”, in line 21, by inserting after the words “state sanitary code” the following: “; 105 CMR 410.750.”, in line 88, by inserting after the word “representatives” the words “and the joint committee on children, families and persons with disabilities”, in line 100, by inserting after the following: “prior 12 months” the words “and, that the report shall state the department’s assessment of the effects of benefit or eligibility changes upon recipient families, and the report shall detail the savings realized by any such changes to benefits or eligibility”, and by adding at the end of said item the words “provided further, that funds shall be expended for programs operated by Horizons for Homeless Children”;

In item 7004-0104 by striking out the figures “1,200,000” and inserting in place thereof the following figures “1,400,000”;

In item 7004-0108, in lines 4 and 5, by inserting after the words “assistance provided under this item shall include” the words “not less than”, and in lines 44 and 48, by striking out the figure “3” and inserting in place thereof, in each instance, the figure “6”;

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In item 7004-3036, in line 15, after the words “consolidation of said services;” by striking out the word “and” and by adding at the end of said item the following: “; and provided further, that not less than \$100,000 shall be expended to Springfield Neighborhood Housing Services, Inc’, so-called, in Springfield”;

In item 7004-9005 by adding the following “; provided further, that not less than \$50,000 be provided for the Clinton Housing Authority for the purposes of repairs and improvements to the Church Street Senior Housing Complex, located in the town of Clinton; and provided further, that not less than \$50,000 be provided for the Clinton Housing Authority for the purpose of repairs and improvements to the Water Street Senior Housing Authority Complex, located in the town of Clinton”, and by striking out in said item the figures “62,500,000” and inserting in place thereof the figures “64,500,000”;

In item 7004-9024, in lines 78 to 84, inclusive, by striking out the following: “provided further, that these new vouchers shall only be available to families receiving benefits through line item 7004-0103; provided further, the additional vouchers shall serve as a one-time, caseload reduction mechanism and shall be targeted to families who are residing in hotels or motels as of January 1, 2012; and provided further, no vouchers beyond the amount described within shall be given to families residing within the shelter system during fiscal year 2013” and inserting in place thereof the following: “provided further, that these new vouchers shall first be available to families residing in hotels or motels provided they meet all Massachusetts Rental Voucher Program criteria necessary to be granted a voucher and the department has determined that they are ready to attempt to maintain a tenancy; provided further, that once the undersecretary certifies that as many families as possible are moved from motels, families residing in shelters shall be eligible to receive any remaining vouchers; provided further, that once a family vacates shelter, a family from motels shall be moved into the previously occupied space in order to receive maximum support services; provided further, the additional vouchers shall serve as a one-time, caseload reduction mechanism and shall be targeted to families who are residing in hotels, motels, or emergency assistance family shelters as of April 1, 2012; and provided further, no vouchers beyond the amount described within shall be given to families residing within the shelter system during fiscal year 2013”; and

In item 7004-9316, in line 12, by inserting after the words “median income” the words “subject to the department’s discretion based on data reflecting program demand and usage” and in line 47, by inserting after the words “established by the department” the following: “; provided further, the department shall submit a report to the chairmen of the house and senate committees on ways and means, the chairmen of the joint committee on housing and the secretary of administration and finance detailing the extent of involvement of regional community action programs in the administration of this line item program within the past five years; provided further, the report shall include, but not be limited to, the appropriation allocation to each community action program, the effectiveness of their services, and the estimated number of families served per year; provided further, the report shall also examine the potential for broader inclusion of community action programs

in the future administration of this program; and provided further, the department shall submit this report no later than January 1, 2013”.

After debate on the question on adoption of the amendments (Mr. Donato of Medford being in the Chair), Messrs. Fallon of Malden and Dempsey of Haverhill moved to amend them by adding the following: “; and by inserting before the effective date sections (which were subsequently renumbered) the following section:—

SECTION 130. Notwithstanding any general or special law to the contrary, the comptroller, in consultation with the Massachusetts Bay Transportation Authority, shall study and report on the feasibility of allocating funds to the fiscal year 2013 deficit of the Massachusetts Bay Transportation Authority to be applied specifically to debt service in order to reduce any anticipated fare hike increases in fiscal year 2013. The comptroller shall report its findings and recommendations by filing the same with the clerks of the house of representatives and senate, the joint committee on transportation and the house and senate committees on ways and means not later than September 1, 2012.”.

The further amendment was adopted.

On the question on adoption of the amendments, as amended, the sense of the House was taken by yeas and nays, at the request of Honan of Boston; and on the roll call 152 members voted in the affirmative and 5 in the negative.

Amendments adopted,—
yea and nay
No. 230.

[See Yea and Nay No. 230 in Supplement.]

Therefore the amendments, as amended, were adopted.

At two minutes after two o’clock P.M. (Tuesday, April 24), on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past two o’clock; and at four minutes before three o’clock the House was called to order with the Speaker in the Chair.

Recess.

Mr. Donato of Medford being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 131. Prior to expending any further funds for any rail expansion project, the Massachusetts Bay Transportation Authority or the state agency initiating the expansion of rail service shall conduct a cost analysis reflecting the profitability of the proposed project. This cost analysis shall include any and all costs associated with the project including debt service, construction costs, future maintenance and associated costs. The auditor of the commonwealth shall request that the administrator of the appropriate division of the Massachusetts Department of Transportation prepare the fiscal analysis, including life cycle costs, demonstrating that sufficient revenues exist or will be generated to operate and maintain in good repair the expansion. This analysis shall also be submitted to the joint legislative committee on revenue. If the cost analysis shows that the expansion is deemed unprofitable, then the expansion shall not proceed.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 31 members voted in the affirmative and 124 in the negative.

Amendment rejected,—
yea and nay
No. 231.

[See Yea and Nay No. 231 in Supplement.]

Therefore the amendment was rejected.

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Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 131. Section 13(a) of chapter 6C of the General Laws, as so appearing, is amended by inserting after the first sentence thereof the following:— “The secretary shall apply for federal approval of electronic tolling of the express lanes of interstate route 93 as soon as the secretary determines in his discretion that it practicable to so apply. On September 1, 2012 and annually thereafter, the secretary shall file a report with the Clerk of the Senate and the Clerk of the House stating the average daily volume of traffic in such express lanes by month.”

After remarks on the question on adoption of the amendment, Mr. Straus of Mattapoisett moved to amend it by striking out the proposed new section and inserting in place thereof the following:

“SECTION 131. The Massachusetts Department of Transportation shall investigate and report on means of addressing the fiscal difficulties of the transportation system of the commonwealth. The executive of administration and finance shall provide assistance as deemed necessary by the Department of Transportation. The Department of Transportation shall report its findings and recommendations, together with drafts of legislation necessary to carry the recommendations into effect, by filing the same with the clerks of the house of representatives and senate, the joint committee on transportation and the house and senate committees on ways and means not later than December 31, 2012.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow of Norfolk; and on the roll call 122 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 232 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2E, in item 1595-6368, by adding the following: “; provided, that not more than \$200,000 shall be expended for traffic mitigation initiatives along Rt. 28 in the town of Randolph”; in section 81, in line 1049, by inserting after the word “Authority” the following: “and the Regional Transit Authorities organized under the provisions of chapter 161B of the General Laws”, and in line 1051, by striking out the word “authority’s” and inserting in place thereof the word:— authorities’; and by inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 132. Section 41 of chapter 161A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following subsection:—

(f) to sell electricity to the divisions within the Massachusetts Department of Transportation.

SECTION 133. The Greenbush Station in the Town of Scituate shall henceforth be referred to as the ‘Frank M. Hynes Station at Greenbush.’ The Massachusetts Bay Transportation Authority shall expend a one-time disbursement of funds to be used for the creation of signs at

Further
amendment
adopted,—
yea and nay
No. 232.

Consolidated
amendments
(transportation).

the station which shall display the new name. The Massachusetts Bay Transportation Authority may continue to abbreviate the station as 'Greenbush' on all Massachusetts Bay Transportation Authority and Massachusetts Department of Transportation materials.

SECTION 134. Notwithstanding any rule or regulation of the Massachusetts Department of Transportation highway division to the contrary, the Bridge B-12-012, spanning the Massachusetts Bay Transit Authority rail line in the town of Billerica shall be designated and known as the William G. Greene Bridge in honor of the Commonwealth's former state representative and dedicated public servant. The highway division shall erect suitable markers bearing this designation in compliance with the standards of the division and any existing historic preservation guidelines or statutes."

The amendments were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Peterson of Grafton and other members of the House moved to amend it in section 2, in item 2310-0200, by striking out the figures "9,965,083" and inserting in place thereof the figures "10,465,083". The amendment was adopted.

Messrs. Turner of Dennis and Atsalis of Barnstable then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

"SECTION 135. Notwithstanding any general or special law, rule or regulation or performance standard to the contrary, and in order to increase access to the Yarmouth waterfront; to promote the increase, preservation and restoration of salt water marshes, wetlands and wetland vegetation; to provide quicker public safety response, to provide the area's first permanent boat waste pump-out facility, to reduce fuel spills by providing the area's first fully contained fuel station; to educate the public in habitat restoration and creation, and provide other improvements beneficial to the public interest, the legislature finds that the Yarmouth Marina Project located on Parker's River at the site of the former drive-in theater on Route 28 in the Town of Yarmouth demonstrates an overriding public interest and shall be exempt from any Department of Environmental Protection review under the Wetlands Protection Act and a Water Quality Certification under the Massachusetts Clean Waters Act (401 Water Quality Certification Program) provided that the town shall mitigate any disturbance of wetland vegetation by aggressive attempts at restoration or rehabilitation of an area or areas of distressed wetland vegetation of a total area of not less than twice the area of wetland vegetation disturbed."

The amendment was adopted.

Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

"SECTION 136. Section 1F of chapter 164 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, at the end thereof, the following language:—

(10) No municipality shall be prohibited from requiring utility lines located within the publicly-owned right of way to be kept clear of trees and branches as a condition of the use of such public property by utility companies."

Amendment
rejected,—
yea and nay
No. 233.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 38 members voted in the affirmative and 119 in the negative.

[See Yea and Nay No. 233 in Supplement.]

Therefore the amendment was rejected.

Consolidated
amendments
(energy and
environmental
affairs).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 2200-0100 by striking out the figures "24,923,735" and inserting in place thereof the figures "25,323,735";

In item 2200-0107 by striking out the figures "275,000" and inserting in place thereof the figures "375,000";

In item 2210-0105, in line 10, by inserting after the words "various implementation requirements of said chapter 211" the following: "; provided that not less than \$1,629,860 from this item shall be made available for the operation of the Toxics Use Reduction Institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than \$644,096 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 211";

In item 2260-8870 by adding the following: "provided, that no less than \$90,000 shall be provided for Brownfield redevelopment in the City of Lynn";

In item 2300-0101 by striking out the figures "394,391" and inserting in place thereof the figures "416,974";

In item 2310-0316 by striking out the figures "1,000,000" and inserting in place thereof the figures "1,500,000";

In item 2511-0100 by adding the following: "; provided, that no less than \$200,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; provided further, that no less than \$35,000 shall be spent for the purposes of operating the statewide seasonal apiary inspections; and provided further, that no less than \$100,000 shall be available to supplement existing larvicide control projects in Plymouth and Bristol counties", and in said item by striking out the figures "4,192,811" and by inserting in place thereof the following figures "4,527,811";

In item 2511-0105 by striking out the figures "12,500,000" and inserting in place thereof the figures "13,000,000";

In item 2800-0100, in lines 16 and 17, by inserting after the words "administration of the department" the words "; provided further, that funds shall be expended for the cleanup of *Pilayella* algae";

In item 2800-0700 by striking out the figures "299,778" and inserting in place thereof the figures "349,778";

In item 2810-0100, in line 16, by inserting after the words "full rink season" the following: "; provided further, that no less than \$100,000 shall be expended for the operation of the Gardner Heritage State Park in the City of Gardner; provided further, that no less than \$250,000 shall be expended for the development and maintenance of a pedestrian river walk in Lowell along Route 110; provided further, that no less than \$200,000 shall be expended for open space improvements in the

City of Lowell; provided further, that no less than \$50,000 shall be expended for the maintenance and improvement of the Fellsmere Pond Reservoir in the City of Malden; provided further that no less than \$75,000 shall be expended for the Let's Row Boston Program administered by Community Rowing, Inc. of the city of Boston", and in said item by striking out the figures "40,624,861" and inserting in place thereof the figures "41,799,861";

In item 2810-2041 by striking out the figures "9,000,000" and inserting in place thereof the figures "10,000,000", and

In item 2820-2000 by adding the following: "; and provided further, that no less than \$5,000 shall be expended for a pilot program utilizing low energy street lighting in the town of Natick", and in said item by striking out the figures "3,060,000" and inserting in place thereof the figures "3,065,000";

In section 37, in line 674, by inserting after the word "source" the words "and to include without limitation any investment earnings on fund monies", in line 678, by inserting after the word "grants" the words "or loans", and in line 695, by inserting after the word "applicant." the following sentence: "Any repayment by borrowers of loans of financial assistance from fund monies shall be credit to the fund."; and

By inserting before the effective date sections (which were subsequently renumbered) the following three sections:

"SECTION 136. Chapter 20 of the General Laws is hereby amended by inserting after section 31 the following section:—

Section 32. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Agricultural Inspection and Infrastructure Trust Fund, consisting of revenues received pursuant to section 3B of chapter 7; chapters 128, 129, 132B; poultry testing fees for services established by 330 CMR 5.00 et seq.; interest or investment earnings on such monies; and all other monies credited or transferred thereto from any other fund or service.

Monies in the Agricultural Inspection and Infrastructure Trust Fund may be expended without further appropriations on programs and costs related to the following: (1) sections 32 to 38 inclusive of chapter 128; (2) the integrated pest management program established by chapter 132B and by chapter 85 of the acts of 2000; (3) spay and neuter programs and animal rescue and shelter programs established under section 2 of chapter 129; (4) poultry testing programs established by 330 CMR 5.00 seq; and (5) the Agricultural Innovation Center.

Any unexpended balance in the fund at the end of the fiscal year, not to exceed \$200,000, shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

SECTION 137. Section 144 of chapter 122 of the acts of 2006 is hereby amended by striking out, in lines 4 to 6, inclusive, the words "; provided, however, that no waiver or exemption shall be granted without the written approval of the secretary of administration and finance".

SECTION 138. The second sentence of section 1 of chapter 65 of the acts of 2010 is hereby amended by inserting after the words

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‘Boston University Sailing Pavilion in the city of Boston;’ the following words:— the Northeastern University Henderson Boat House in the city of Boston.”

The amendments were adopted.

Mr. Straus of Mattapoisett then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 139. Section 15F of chapter 138 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:—

(b). A special license under this section may be granted by the local licensing authorities for a portion of premises that are licensed under §12 of this chapter provided that: (a) the special licensee documents the legal basis for use of the §12 licensed premises; (b) the area in which a special license is approved must be physically delineated from the area remaining under the control of the §12 license-holder; (c) the holder of the special license and not the §12 licensee, shall be solely liable for all activities that arise out of the special license; and (e) the special license holder shall not pay any consideration, directly or indirectly, to the §12 license holder for the access to or use of the §12 licensee’s premises.”

The amendment was adopted.

Recess.

At three minutes after six o’clock P.M. (Tuesday, April 24), on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until five minutes after seven o’clock; and at that time the House was called to order with Mr. Donato in the Chair.

Consolidated
amendments
(veterans
and
soldiers’
homes).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 1410-0010, in line 2, by inserting after the words “from this item” the following: “; provided further, that no less than \$10,000 shall be expended for maintenance services for the Korean War memorial located in the Charlestown navy yard; provided further, that no less than \$100,000 shall be expended for restoration grants for Civil War Veterans Monuments, Memorials, and other significant sites across the Commonwealth in conjunction with the Massachusetts Foundation for the Humanities; provided further, that no less than \$10,000 shall be expended for the transportation of a decommissioned tank, approved by the Department of Defense, from the North Carolina National Guard to the Johnny Ro Veterans Memorial Park in Leominster; provided further, that not less than the amount allocated in item 1410-0010 of section 2 of chapter 182 of the acts of 2008 shall be expended for the purpose of maintaining and rehabilitating Massachusetts Vietnam Veterans memorials; provided further, that no less than \$30,000 shall be expended for the Veteran’s Oral History Project at the Morse Institute Library in Natick” and in said item by striking out the figures “2,440,839” and inserting in place thereof the figures “2,615,839”;

In item 1410-0012, in line 4, by inserting after the words “agent orange” the following: “; provided further, that the department shall not reduce the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 68 of the acts of 2011”;

In item 1410-0018 by striking out the figures “300,000” and inserting in place thereof the figures “350,000”.

By inserting after said item 1410-0018 the following two items:

- “1410-0075 For the purpose of the Train Vets to Treat Vets program; provided, that the department shall work in conjunction with the Massachusetts School of Professional Psychology to administer a behavioral health career development program for returning veterans \$125,000;
- 1410-0100 For the revenue maximization project of the executive office of elder affairs to identify individuals eligible for veterans’ pensions who are currently receiving home health care services \$96,500”.

In item 1410-0250 by adding the following: “; provided, that the department shall not reduce the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 68 of the acts of 2011”;

By striking out item 1410-0300 and inserting in place thereof the following item:

- “1410-0300 For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans; provided, that the payments shall be made under sections 6A, 6B and 6C of chapter 115 of the General Laws \$21,400,000”;

In item 1410-0400, in line 5, by inserting after the words “soldiers’ home” the words “, homeless shelter, or transitional housing facility” and in said item by striking out the figures “43,988,726” and inserting in place thereof the figures “44,208,485”, and

In item 1410-0630 by striking out the figures “1,007,160” and inserting in place thereof the figures “1,014,825”; and

By inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 140. Chapter 15A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 41, the following new section:—

Section 42. (a) The board shall coordinate and adopt a uniform policy requiring each public institution of higher education to award educational credits to a student who is enrolled in such an institution and who is also a veteran, as defined in clause forty-third of section 7 of chapter 4, for the student’s military occupation, training and experience relevant to the occupation, and courses that were a component of the student’s military training or service; provided, that the occupation, training, experience, or courses meet the standards of the American Council on Education or equivalent standards for awarding academic credit; provided further, that the award of educational credit is based upon an institution’s admissions standards and is consistent with the mission of the commonwealth’s system of public higher education, as defined by the board, pursuant to section 1 of chapter 15A.

(b) The board shall consult and collaborate with the boards of trustees in implementing the policy set forth in subsection (a) and the policy adopted by the board shall, to the greatest extent possible, provide for consistent application by all the commonwealth’s public institutions of higher education and promote accurate and complete academic counseling.

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(c) The board shall adopt all necessary rules, regulations and procedures to implement the provisions of this section, effective beginning January 1, 2013 and continuing thereafter.”

Pending the question on adoption of the amendments, Mr. D’Emilia of Bridgewater moved to amend them by striking out proposed section 140 and inserting in place thereof the following section:

“SECTION 140. Chapter 15A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 41, the following new section:—

Section 42. (a) The board shall develop and adopt a written policy requiring each public institution of higher education to develop a set of policies and procedures governing the evaluation of a student’s military occupation(s), and military training, coursework, and experience, for purposes of determining whether academic credit will be awarded by the institution for the evaluated experience, training, and coursework; provided, that the occupation(s), training, experience, or courses meet the standards of the American Council on Education or equivalent standards for awarding academic credit; provided further, that the award of educational credit is based upon each institution’s admissions standards and is consistent with the mission of the commonwealth’s system of public higher education, as defined by the board, pursuant to section 1 of chapter 15A. Each public institution of higher education shall designate a single point of contact for a student who is enrolled in such an institution and who is also a veteran, as defined in clause 43 of section 7 of chapter 4 to initiate and pursue such an evaluation and determination.

(b) The board shall consult and collaborate with the boards of trustees in implementing the policy set forth in subsection (a) and the policy adopted by the board shall, to the greatest extent possible, provide for consistent application by all the commonwealth’s public institutions of higher education and promote accurate and complete academic counseling.

(c) The board shall adopt all necessary rules, regulations, and procedures to implement the provisions of this section, effective beginning March 1, 2013 and continuing thereafter.”

The further amendment was adopted.

After remarks on the question on adoption of the amendments, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 234 in Supplement.]

Therefore the amendments, as amended, were adopted.

Representatives Poirier of North Attleborough and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 141. Chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 48A, the following section:—

Section 48B. The commissioner and the sheriffs for the various counties may institute a schedule of fees and assess said fees to inmates in their custody as follows:—

Amendments
(veterans
and
soldiers’
homes)
adopted,—
yea and nay
No. 234.

1. A daily cost of custodial care fee not to exceed \$5;
2. A medical sick call visit fee not related to a condition pre-existing at the time of incarceration not to exceed \$5;
3. A dental sick call visit fee not to exceed \$5;
4. A pair of prescription eyeglasses fee not to exceed \$5;
5. A pharmacy prescription fee not to exceed \$3 per prescription.

Any penal facility assessing fees shall establish a procedure for inmates to appeal any such assessment.

Notwithstanding the above, the following services shall be exempt from fee assessment: admission health screening, 14 day health assessment, emergency health care, hospitalization or infirmary care, prenatal care, lab and diagnostic care, follow-up visits approved by health services, contagious disease care and chronic disease care.

No inmate shall be denied access to medical or dental care because of an inability to pay any fee. Indigent inmates shall have the above fees and costs assessed and debited against the inmate's money account which, if not paid, shall remain due and payable as a charge to the inmate after his release from custody. If the inmate is not incarcerated within 2 years of his release from custody, this debt shall be forgiven.

This section shall not apply to federal inmates, detainees or regional lock-up inmates. The commissioner and the sheriffs of the various counties shall promulgate rules and regulations for the implementation of this section."

After debate on the question on adoption of the amendment, the Chair (Mr. Donato of Medford) placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Suspension of Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 121 members voted in the affirmative and 34 in the negative.

Rule 1A suspended,—yea and nay No. 235.

[See Ye and Nay No. 235 in Supplement.]

Therefore Rule 1A was suspended.

After further remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. Poirier; and on the roll call 44 members voted in the affirmative and 112 in the negative.

Amendments rejected,—yea and nay No. 236.

[See Ye and Nay No. 236 in Supplement.]

Therefore the amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following one hundred sections:

“SECTION 141. The first sentence of section 1 of chapter 23K of the General Laws, as appearing in section 16 of chapter 194 of the acts of 2011, is hereby amended by inserting after the words ‘gaming establishments’ the following words:— and internet card rooms.

SECTION 142. Said chapter 23K is hereby further amended by inserting after section 1 the following section:—

Section 1A. The General Court finds and declares that: (1) since the advent of the internet and despite the enactment of the federal law entitled Unlawful Internet Gambling Enforcement Act of 2006 (‘UIGEA’),

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31 U.S.C. §§ 5361-5367 (2006), hundreds of thousands of Massachusetts consumers have been playing internet poker through websites controlled by illegal off-shore businesses; (2) to the detriment of the commonwealth and its residents, these illegal off-shore businesses take tens of millions of dollars from residents on an annual basis, without paying any Massachusetts or federal taxes and without being subject to any oversight that would otherwise protect consumers from the dangers of underage gambling, compulsive gambling, cheating and swindling and unfair or deceptive acts or practices; (3) without regulatory oversight of internet poker, these illegal off-shore businesses will continue to harm the commonwealth and its residents, and public confidence in the integrity of legal gaming in the commonwealth will be critically undermined; (4) a rigorous regulatory and licensing scheme for internet poker will bolster the purposes of chapter 23K by providing millions of dollars in additional annual revenue and aid to local communities, creating over a thousand high-paying jobs in the technology sector, providing essential consumer protections to vulnerable individuals, promoting local business, enhancing the performance of the state lottery and aiding law enforcement; (5) pursuant to 31 U.S.C. § 5362(10)(B) (2006), this Act establishing limited internet gaming in the commonwealth constitutes a lawful exemption to the UIGEA, whereby the commission may authorize gaming licensees to conduct lawful internet gambling within the borders of the commonwealth; (6) pursuant to a formal opinion rendered by United States Department of Justice, Office of Legal Counsel, on December 23, 2011, the conduct authorized by this Act establishing limited internet gaming in the commonwealth is not proscribed by the Wire Act, 18 U.S.C. § 1084 (2006), because it does not relate to a 'sporting event or contest;' and (7) the conduct authorized by the provisions of this Act establishing limited internet gaming in the commonwealth is not proscribed by any federal statute, including the following: the Interstate Horseracing Act of 1978, 15 U.S.C. 3001 et seq.; the Professional and Amateur Sports Protection Act, 28 U.S.C. 3701 et seq.; the Gambling Devices Transportation Act, 15 U.S.C. 1171 et seq.; and the Indian Gaming Regulatory Act, 25 U.S.C. 2701 et seq.

SECTION 143. Section 2 of said chapter 23K, as so appearing, is hereby amended by inserting the following seventeen paragraphs:—

'Category 3 license', a license issued by the commission that permits the licensee to operate an internet card room subject to the regulatory oversight of the commission under this chapter.

'Domain name', a name consisting of a sequence of letters, numbers and hyphens used to identify a website and locate the server hosting that website.

'Internet', the international system of interoperable packet switched data networks, including any additional electronic data distribution methods or channels approved by the commission.

'Internet card room', the collective proprietary and non-proprietary technology, including hardware, software, related websites and gaming devices, controlled and used by a category 3 licensee for the purposes of offering internet poker games to registered players and facilitating internet gaming thereon.

‘Internet gaming’, the placing, receiving or transmitting of a wager on an internet poker game where the wager is initiated and received or otherwise made within the borders of the commonwealth or, in the case of another state, within the borders of that state.

‘Internet gaming account’ or ‘account’, a formal electronic ledger managed by an internet gaming operator for the purpose of recording a registered player’s deposits, withdrawals, amounts wagered, winnings and other financial activity related to the operator’s cashless wagering system and the player’s use of the operator’s internet card room for internet gaming.

‘Internet gaming account agreement’, a contractual agreement between a registered player and an internet gaming operator which governs the terms and conditions of the player’s internet gaming account and the player’s use of the operator’s internet card room for internet gaming.

‘Internet gaming operator’ or ‘operator’, a category 3 licensee or category 3 license applicant that is engaged or seeks to engage in the business of operating an internet card room.

‘Internet gaming operator premises’, a facility approved by the commission from which a category 3 licensee may conduct business related to operating an internet card room under this chapter.

‘Internet poker game’, any of the percentage card games historically known as poker played by two or more individuals for money or credit, including, but not limited to, Texas hold’em, Omaha, stud poker and draw poker, which the commission has authorized a category 3 licensee to offer, at least in part through the internet, to registered players.

‘Internet protocol address’, a numerical identifier attached to each computer that communicates with other computers through internet.

‘Internet service provider’, a person that provides other persons with access to the internet.

‘Proprietary technology’, any information that is protectable as intellectual property under state law, federal law or foreign law, including any information that can be patented or registered under any applicable patent, copyright, trademark or trade secret laws.

‘Registered player’ or ‘player’, an individual who has registered with an internet gaming operator to engage in internet gaming through the operator’s internet card room.

‘Website’, one or more related web pages.

‘Web page’, an internet accessible document that may contain text, video, audio and images and is hosted on at least one web server.

‘Web server’, the hardware and related software that is used to deliver content, store data and run applications through the internet.

SECTION 144. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words ‘gaming licensee’, in line 179, the following words:— , excluding a category 3 licensee,.

SECTION 145. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words ‘gaming establishment’, in line 208, the following words:— and on an internet card room.

SECTION 146. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words ‘gaming establishment’, in line 240, the following words:— and an internet gaming operator.

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SECTION 147. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 241, and in line 243, each time it appears, the following words:— or an internet card room.

SECTION 148. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 249, the following words:— or an internet card room.

SECTION 149. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 253, the following words:— or an internet gaming operator.

SECTION 150. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 316, the following words:— or an internet gaming operator.

SECTION 151. Said section 2 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 317, the following words:— or internet card room.

SECTION 152. Section 4 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming operation', in line 586, the following words:— or an internet gaming operator.

SECTION 153. Said section 4 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 621, the following words:— and internet gaming operator premises.

SECTION 154. Said section 4 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 627, the following words:— or internet gaming operator premises.

SECTION 155. Said section 4 of said chapter 23K, as so appearing, is hereby further amended by striking out, in line 659, the words 'internet gaming' and inserting in place thereof the following words:— interstate internet gambling.

SECTION 156. Said section 4 of said chapter 23K, as so appearing, is hereby further amended by inserting after the word 'commonwealth', in line 670, the following words:— and with any state that has expressly authorized lawful internet gaming.

SECTION 157. Clause (11) of subsection (a) of section 5 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 702, the following words:— or for an internet gaming operator.

SECTION 158. Clause (14) of said subsection (a) of said section 5 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment' in line 710, the following words:— and an internet card room.

SECTION 159. Clause (17) of said subsection (a) of said section 5 of said chapter 23K, as so appearing, is hereby amended by striking out, in line 716, the word:— and.

SECTION 160. Clause (18) of said subsection (a) of said section 5 of said chapter 23K, as so appearing, is hereby amended by striking out, in lines 717 and 718, the words 'gaming establishment.' and inserting in place thereof the following words:— gaming establishment and in an internet card room; and.

SECTION 161. Said chapter 23K, as so appearing, is hereby amended by inserting after section 5 the following section:—

Section 5A. (a) In addition to the regulations required by section 5, with regard to category 3 licenses, the commission shall promulgate regulations for the implementation, administration and enforcement of this chapter including, without limitation, regulations that: (1) prescribe age and location verification requirements reasonably designed to block access to persons under the age of 21, persons located outside of the commonwealth and persons whose names appear on a list of excluded persons or are otherwise prohibited from gambling at a gaming establishment or on an internet card room under this chapter; (2) prescribe appropriate data security and geolocation requirements to prevent unauthorized access to an internet card room by any person whose age and current physical location has not been verified in accordance with this chapter, including requirements that internet gaming operators use innovative data encryption software and geolocation software that identifies a player's internet protocol address and precisely determines the country, state and city where a player is located at all times relevant to determining whether an individual may access areas of an internet card room that are restricted to registered players; (3) prescribe requirements that an applicant or the proposed affiliate internet gaming operator of the applicant shall have a principal place of business and be domiciled in the commonwealth and in good standing with the secretary of state and state treasurer; (4) prescribe requirements that all gaming vendors transacting business with internet gaming operators shall have a principal place of business and be domiciled in the commonwealth and in good standing with the secretary of state and state treasurer; (5) prescribe the information to be furnished by an applicant to determine whether an applicant and any affiliate of the applicant and predecessor in interest of an applicant has accepted a wager related to any form of internet gambling from a person in the United States after October 13, 2006, the date when the UIGEA was enacted; (6) prescribe the information to be furnished by an applicant to determine whether an applicant and any affiliate and institutional investor of an applicant has ever contemptuously defied or refused to submit to or comply with the jurisdictional, investigative or enforcement authority of any judicial, executive or legislative body of any state or of the United States when such body was adjudicating, investigating or prosecuting alleged illegal conduct relating to gambling or internet gambling; (7) prescribe player registration requirements, including procedures reasonably designed to ensure that an internet gaming operator accurately verifies a player's identity, date of birth, place of residency, social security number if the player is a United States resident, eligibility to engage in internet gaming and absence from the list of excluded persons, and that a player has read and assented to an operator's internet gaming account agreement and consents to the jurisdiction of the commonwealth to resolve all disputes arising out of internet gaming; (8) prescribe requirements related to a registered player's internet gaming account, including requirements for recording the date and time of all account activity and ensuring that all adjustments made by an operator to a player's account are consistent with the player's internet gaming activity, as well as requirements that a registered player has only one account, individuals are unable to create accounts

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under fictitious names, a player is physically located in the commonwealth while logged into his or her account, an operator only accepts account deposits in the form of debits from a debit or credit card, personal checks, cashier's checks, wire transfers, money orders or other forms of payment approved by the commission, a player is prevented from transferring funds into the account of any other player, operators accurately credit a player's winnings to the player's account and are prevented from extending credit or otherwise transferring funds into player accounts where those funds are derived from any person besides the operator; (9) prescribe requirements delineating the types of permissible charges by internet gaming operators to registered players engaging in internet poker games, including the amounts of per-hand charges, the amounts of tournament charges and precise charge information that shall be conspicuously posted and continuously updated on each player's computer screen throughout each authorized game and tournament; (10) prescribe standards reasonably designed to protect the privacy and security of registered players who engage in internet gaming, including requirements that credit card, password and all other data transmitted between a player and an internet gaming operator is encrypted using technology tested and approved by the commission and that access to internet gaming account information by gaming employees and gaming service employees is strictly controlled and recorded; (11) prescribe technical standards to guide the commission's approval of proposed software, hardware and other gaming devices that internet gaming operators may use to conduct internet gaming, including mechanical, electrical, security and reliability standards, and requirements to ensure that no software, hardware or other gaming devices shall be used to conduct internet gaming prior to being tested and approved by the commission or tested and certified by an independent testing laboratory authorized by the commission; (12) prescribe requirements reasonably designed to ensure that the internet poker games offered by an internet gaming operator are legal, fair and played exclusively by live individuals, that wagering and internet poker game rules are conspicuously made available to all registered players and that the software that powers the internet poker games uses a sophisticated random number generator, which shall be tested and approved by the commission to ensure that each electronic hand of cards is unpredictable and entirely random; (13) prescribe standards reasonably designed to ensure that an internet gaming operator maintains a system of internal controls to protect the security and integrity of all financial transactions, wagers and internet poker games occurring on the applicant's proposed internet card room, including requirements that an internet gaming operator make all data related to its software, credit card transactions, distribution of funds, transactions with gaming vendors, registered player wagering histories and internal controls related to player fraud and cheating and swindling available to an independent auditor approved by the commission; (14) prescribe requirements reasonably designed to enable an internet gaming operator to detect and prevent transactions that may be associated with money laundering, fraud and other criminal activities in violation of Massachusetts and federal law; (15) prescribe administrative, accounting and auditing procedures reasonably designed to determine an internet gaming operator's license fee and gross gaming revenue payment liability and

maintain the commission's control over the operator's internal financial affairs; (16) prescribe standards reasonably designed to ensure that all gaming devices, facilities and internet gaming operator premises related to an internet card room are located, arranged and maintained in a manner promoting appropriate security related to internet gaming, including requirements that an operator maintain a closed circuit visual monitoring system and institute protocols for restricting access in accordance with directives issued by the commission; (17) prescribe enforcement powers by which the commission may commence an in rem deactivation of the domain names associated with an internet gaming operator's internet card room where the commission determines that the operator has engaged in unlawful internet gambling or has otherwise offered or conducted internet poker games in violation of this chapter; (18) prescribe rules that shall effectively immunize internet service providers from criminal and civil liability for hosting an internet card room operating in violation of this chapter or federal law or a website otherwise engaging in unlawful internet gambling, unless the internet service provider has actual knowledge that the internet card room or website in question is currently violating this chapter, federal law or is otherwise engaging in unlawful internet gambling; (19) prescribe requirements appropriately limiting the types of agreements that internet gaming operators may enter into with third parties for marketing or advertising purposes, including requirements prohibiting internet gaming operators from displaying the trademark, service mark, business or brand name, business information or any information directly or indirectly acquired or derived from or supplied by or any person that has accepted a wager related to any form of internet gambling from persons in the United States after October 13, 2006. (20) prescribe factors to be considered by the commission in determining whether an applicant has demonstrated sufficient history of internet gaming competence, experience, technological expertise, technological quality, financial integrity and regulatory compliance to justify the award of a category 3 license.

SECTION 162. Subsection (f) of section 6 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 752 and 753, the following words:— and an internet card room.

SECTION 163. Said subsection (f) of said section 6 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 761, the following words:— and an internet card room and an internet gaming operator.

SECTION 164. Subsection (a) of section 8 of said chapter 23K, as so appearing, is hereby amended by inserting after the word and figure 'category 2', in line 761, the following words:— and category 3.

SECTION 165. Clause (6) of subsection (a) of section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 814, the following words:— or internet card room.

SECTION 166. Clause (7) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the word 'facilities', in line 816, the following words:— or internet card room and internet gaming operator premises.

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SECTION 167. Clause (8) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 818, the following words:— or an internet card room.

SECTION 168. Clause (12) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 836, the following words:— or by the internet gaming operator.

SECTION 169. Clause (13) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment's', in line 839, the following words:— or internet card room's.

SECTION 170. Said clause (13) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishment', in line 846, the following words:— or internet card room.

SECTION 171. Clause (16) of said subsection (a) of said section 9 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 856, the following words:— and, with regard to the proposed internet card room, the type and number of internet poker games to be conducted.

SECTION 172. Said chapter 23K, as so appearing, is hereby amended by inserting after section 11 the following section:—

Section 11A. (a) The commission shall not set a minimum capital investment for a category 3 license; provided, however, that a category 3 licensee's internet gaming operator premises and gaming equipment, including but not limited to, computers, servers, monitoring rooms, hubs and storage systems, shall be located in the commonwealth, unless the commission permits otherwise.

(b) The commission shall determine the minimum licensing fee for a category 3 licensee, which shall not be less than \$10,000,000 to be paid within 30 days after the award of the license; provided, however, that this licensing fee shall be credited against the category 3 licensee's daily gross gaming revenue payment liability for the first two years of operation. Once the license fee credit is exhausted, the commission shall direct the category 3 licensee to commence monthly gross gaming revenue payments to the commonwealth in accordance with this chapter.

(c) A category 3 licensee who fails to begin internet gaming operations within 30 days after the award of the category 3 license shall be subject to suspension or revocation of the gaming license by the commission and shall, after being found by the commission after a hearing to have acted in bad faith in delaying commencement of internet gaming operations, be assessed a fine of no less than \$25,000,000.

SECTION 173. Subsection (a) of section 14 of said chapter 23K, as so appearing, is hereby amended by inserting after the word 'establishment', in line 986, the following words:— or an internet card room.

SECTION 174. Subsection (e) of said section 14 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 1019 and 1020, the following words:— or internet card room.

SECTION 175. Section 15 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in lines 1045, 1046 and 1064, the following words:— or internet card room.

SECTION 176. Said section 15 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word ‘that’, in line 1088, the following words:— , except in the case of a category 3 license applicant.

SECTION 177. Said section 15 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word ‘license’, in line 1095, the following words:— , unless the applicant is applying for a category 3 license.

SECTION 178. Section 16 of said chapter 23K, as so appearing, is hereby amended by inserting after subsection (b) the following subsection:—

(c) The commission shall deny with prejudice an application for a category 3 license under this chapter, if the applicant, an affiliate of the applicant, an institutional investor of the applicant, a person directly or indirectly holding a financial interest in the applicant or any affiliate of the applicant, a predecessor in interest of the applicant, a key gaming employee of the applicant, a third party who has previously contracted with the applicant for advertising or marketing purposes or any person who has purchased any assets related to an internet gambling operator: (i) has accepted a wager related to any form of internet gambling from a person in the United States after October 13, 2006; or (ii) has ever contemptuously defied or refused to submit to or comply with the jurisdictional, investigative or enforcement authority of any judicial, executive or legislative body of any state or of the United States when such body was adjudicating, investigating or prosecuting alleged illegal conduct relating to any form of gambling or internet gambling.

SECTION 179. Section 18 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘following objectives’, in line 1232, the following words:— , insofar as they are relevant to the applicant’s license category.

SECTION 180. Said section 18 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words ‘gaming establishment’, in line 1281, the following words:— or internet gaming operator premises.

SECTION 181. Said section 18 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words ‘slot machines’, in line 1286, the following words:— and gaming devices, including hardware and software.

SECTION 182. Said section 18 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words ‘gaming establishment’, in line 1287, the following words:— or internet gaming operator premises.

SECTION 183. Subsection (b) of section 19 of said chapter 23K, as so appearing, is hereby amended by inserting after the word ‘that’, in line 1331, the following words:— , except for a category 3 license.

SECTION 184. Said chapter 23K, as so appearing, is hereby amended by inserting after section 20 the following section:—

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Section 20A. (a) The commission may issue not more than 3 category 3 licenses; provided, however, that a category 3 license shall only be issued to an applicant who is qualified under the criteria set forth in this chapter as determined by the commission. If the commission is not convinced that there are applicants that have both met the eligibility criteria and provided convincing evidence that the applicant will provide value to the commonwealth, no category 3 licenses shall be awarded.

(b) A category 3 license issued pursuant to this chapter shall not be transferrable or assignable without the approval of the commission; provided, however, that for 3 years after the initial issuance of a category 3 license, the commission shall only approve such a transfer if: (i) the licensee experiences a change in ownership; or (ii) the licensee fails to maintain suitability or other circumstances which the commission may consider, which, in the opinion of a majority of the members of the commission, impacts a licensee's ability to successfully operate an internet gaming card room.

(c) A category 3 license issued pursuant to this chapter shall be valid for an initial period of 10 years. The commission shall establish procedures for the renewal of a category 3 license, including renewal fee, and submit to the clerks of the senate and house of representatives any legislative recommendations that may be necessary to implement those procedures, not less than 180 days before the expiration of the first category 3 license granted pursuant to this chapter.

SECTION 185. Subsection (a) of section 21 of said chapter 23K, as so appearing, is hereby amended by inserting after the word 'made', in line 1405, the following words:— , except in the case of a category 3 licensee.

SECTION 186. Said subsection (a) of said section 21 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words 'gaming establishment', in line 1413, the following words:— or internet card room or internet gaming operator premises.

SECTION 187. Said subsection (a) of said section 21 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words 'gaming establishment', in lines 1435, 1436 and 1441, the following words:— or internet gaming operator premises.

SECTION 188. Said subsection (a) of said section 21 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words 'gaming area', in line 1450, the following words:— or on all web pages of an internet card room.

SECTION 189. Said subsection (a) of said section 21 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words 'gaming establishment', in line 1469, the following words:— or internet gaming operator.

SECTION 190. Subsection (d) of said section 21 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming licensee', in line 1516, the following words:— , except for a category 3 licensee.

SECTION 191. Subsection (a) of section 23 of said chapter 23K, as so appearing, is hereby amended by inserting after the word and figure 'category 2', in line 1534, the following words and figure:— and category 3.

SECTION 192. Subsection (c) of said section 23 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘establishment’, in line 1553, the following words:— or an internet card room.

SECTION 193. Said subsection (c) of said section 23 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in line 1565, the following words:— and an internet card room.

SECTION 194. Subsection (a) of section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the word ‘gaming’, in line 1586, the following words:— or internet gaming.

SECTION 195. Said subsection (a) of said section 25 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words ‘gaming establishment’, in lines 1592 and 1593, the following words:— or internet operator premises.

SECTION 196. Subsection (b) of said section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in lines 1597 and 1598, the following words:— or internet card room.

SECTION 197. Subsection (e) of said section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the word ‘dealer’, in line 1637, the following words:— at a gaming establishment.

SECTION 198. Subsection (h) of said section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the word ‘wager’, in line 1644, the following words:— in an internet card room.

SECTION 199. Said subsection (h) of said section 25 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word ‘gaming’, in line 1648, the following words:— or internet gaming.

SECTION 200. Subsection (i) of said section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the word and figure ‘category 2’, in line 1651, the following words:— or category 3.

SECTION 201. Said subsection (i) of said section 25 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in line 1653, the following words:— or internet gaming operator premises.

SECTION 202. Subsection (a) of section 27 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘auditing purposes.’, in line 1707, the following words:— A category 3 licensee shall not issue credit to a registered player.

SECTION 203. Section 29 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in lines 1774, 1775, 1779, 1781 and 1786, the following words:— or internet gaming operator.

SECTION 204. Subsection (c) of section 30 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in lines 1805 and 1807, the following words:— or internet gaming operator premises.

SECTION 205. Subsection (e) of said section 30 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in line 1819, the following words:— or internet card room.

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SECTION 206. Subsection (f) of said section 30 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 1825, the following words:— or internet gaming operator.

SECTION 207. Subsection (a) of section 34 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 1981, the following words:— or internet card room.

SECTION 208. Subsection (d) of said section 34 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 1997, the following words:— This subsection shall not apply to internet card rooms and internet gaming operator premises.

SECTION 209. Subsection (e) of section 35 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2030, the following words:— or internet card room.

SECTION 210. Section 36 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 2046 and 2057, the following words:— or internet card room.

SECTION 211. Section 37 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 2139 and 2150, the following words:— or internet card room.

SECTION 212. Section 39 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 2170, 2171 and 2197, the following words:— or internet card room.

SECTION 213. Subsection (b) of section 40 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 2208 and 2211, the following words:— or internet gaming operator premises.

SECTION 214. Section 41 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2215, the following words:— or internet card room.

SECTION 215. Section 43 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in lines 2226, 2230 and 2237, the following words:— or internet card room.

SECTION 216. Subsection (a) of section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2243, the following words:— or internet card room.

SECTION 217. Subsection (c) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the word 'establishment', in lines 2256 and 2257, the following words:— or internet gaming operator.

SECTION 218. Said subsection (c) of said section 45 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word 'premises', in line 2257, the following words:— or internet card room.

SECTION 219. Subsection (f) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gam-

ing establishments', in lines 2278 and 2285, the following words:— and internet card rooms.

SECTION 220. Said subsection (f) of said section 45 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word 'gaming establishment', in line 2282, the following words:— or in an internet card room.

SECTION 221. Said subsection (f) of said section 45 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word 'establishment', in each instance in line 2286, the following words:— or an internet gaming operator.

SECTION 222. Said subsection (f) of said section 45 of said chapter 23K, as so appearing, is hereby amended further by inserting after the word 'premises', in line 2287, the following words:— or internet card room.

SECTION 223. Subsection (g) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishments', in line 2288, the following words:— and internet card rooms.

SECTION 224. Subsection (h) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2293, the following words:— and an internet gaming operator.

SECTION 225. Said subsection (h) of said section 45 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words 'gaming establishments', in lines 2294 and 2295, the following words:— and an internet gaming operators.

SECTION 226. Subsection (i) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishments', in line 2305 and 2314, the following words:— and internet card rooms.

SECTION 227. Subsection (j) of said section 45 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2316 and 2318, the following words:— and an internet card room.

SECTION 228. Section 47 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2334, the following words:— or internet gaming operator premises.

SECTION 229. Subsection (a) of section 49 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2344, the following words:— and an internet gaming operator premises.

SECTION 230. Said subsection (a) of said section 49 of said chapter 23K, as so appearing, is hereby further amended by inserting after the words 'gaming establishments', in lines 2346, 2347, 2349 and 2350, the following words:— and internet gaming operator premises.

SECTION 231. Subsection (b) of said section 49 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'gaming establishment', in line 2352, the following words:— and internet gaming operator premises.

SECTION 232. Subsection (a) of section 55 of said chapter 23K, as so appearing, is hereby amended by inserting after the words 'category 1 licensee', in line 2408, the following words:— and a category 3 licensee.

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SECTION 233. Subsection (c) of section 56 of said chapter 23K, as so appearing, is hereby amended by inserting after the word ‘establishments’, in line 2428, the following words:— and internet card rooms.

SECTION 234. Said subsection (c) of said section 56 of said chapter 23K, as so appearing, is hereby amended further by inserting after the words ‘gaming establishment’, in line 2431, the following words:— and at each internet card room.

SECTION 235. Subsection (e) of said section 56 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘gaming establishment’, in line 2439, the following words:— and employed by each internet gaming operator.

SECTION 236. Subsection (1) of section 59 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘category 2 licensee’, in line 2490, the following words:— and a category 3 licensee.

SECTION 237. Section 66 of said chapter 23K, as so appearing, is hereby amended by inserting after the words ‘slot machines’, in line 2655, the following words:— , software, hardware, gaming devices.

SECTION 238. Section 5A of chapter 62 of the General Laws, as appearing in section 27 of chapter 194 of the acts of 2011, is hereby amended by inserting after the words ‘gaming establishment’, in line 2893, the following words:— or an internet card room.

SECTION 239. Section 93 of chapter 194 of the acts of 2011 is hereby amended by inserting after the words ‘category 2’, in lines 3412 and 3414, the following words:— or category 3.

SECTION 240. Section 97 of chapter 194 of the acts of 2011 is hereby amended by inserting after the words ‘gaming establishment’, in line 3474, the following words:— and internet gaming operators.”.

Mr. Kulik of Worthington thereupon raised a point of order that the amendment offered by the gentleman from Norfolk was improperly before the House because it violated the provisions of the 4th paragraph of House order numbered 4099, which prohibits amendments that amend or notwithstanding Chapter 23K of the General Laws.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Frost of Auburn and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 141. Notwithstanding the provisions of chapter 173 of the Acts of 2008, the commonwealth shall reimburse any city or town for the personal property tax revenue lost as a result of a business conforming with federal entity classification rules.”.

The amendment was rejected.

Ms. Coakley-Rivera of Springfield and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 141. (a) It shall be unlawful for any employer to ask any employee or prospective employee to provide any password or other related account information in order to gain access to the employee’s or prospective employee’s account or profile on a social networking website or electronic mail. No employee or prospective employee shall be required to provide access to an employer for a social networking site.

Point of
order.

(b) It shall be unlawful for any public or private institution of higher education to ask any student or prospective student to provide any password or other related account information in order to gain access to the student's or prospective student's account or profile on a social networking website or electronic mail. No student or prospective student shall be required to provide access to a public or private institution of higher education for a social networking site.

(c) For the purposes of this section, 'Social networking site' means an internet-based service that allows individuals to: (1) construct a public or semi-public profile within a bounded system created by the service; (2) create a list of other users with whom they share a connection within the system; and (3) view and navigate their list of connections and those made by others within the system.

(d) This section shall not apply to any employer who obtains information about a prospective employee or an employee that is in the public domain or obtained in compliance with this section.

(e) This section shall not limit an employer's right to promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including policies regarding internet use, social networking site use, and electronic mail use.

(f) The Department of Labor shall make rules and regulations and investigations necessary for the enforcement of subsections (a), (d) and (e) of this act.

(g) The Board of Higher Education shall make rules and regulations and investigations necessary for the enforcement of subsection (b) of this act."

The amendment was rejected.

Mr. Moran of Boston then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

"SECTION 141. Notwithstanding any special or general law to the contrary, the Department of Revenue shall accept as timely submitted state tax returns of Brenda M. Ginsberg for the years 2006 and 2007."

The amendment was rejected.

Mr. Levy of Marlborough and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

"SECTION 141. Section 26 of chapter 149 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 19, the word "The" and inserting in place thereof the following:— For projects costing more than \$100,000, the."

The amendment was rejected.

Mr. Frost of Auburn and other members of the house then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:—

"SECTION 141. A special commission is hereby established to study the revenue impact on cities and towns of businesses conforming with federal entity classification rules. The commission shall consider the amount of personal property tax revenue lost by individual cities and towns, the amount of revenue gained by the state, and ways to incentivize businesses to become domestic corporations while cities and towns are held harmless. The commission shall consist of 11 members,

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Bill.

as follows: the chairs of the joint committee on revenue, who shall chair the commission; the commissioner of revenue, or her designee; 1 designee appointed by the governor; the house chair of ways and means, or his designee; the senate chair of ways and means, or his designee; the secretary of administration and finance, or his designee; the auditor, or her designee; the treasurer or his designee; the house minority leader, or his designee; and the senate minority leader, or his designee. Said commission shall report its findings, together with drafts of any legislation it recommends, to the senate and house clerks no later than July 1, 2013.”

After remarks the amendment was adopted.

Consolidated
amendments
(mental
health).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 5046-0000, in line 6, by inserting after the words “care at department facilities” the following: “; provided further, that the department shall allocate \$500,000 for clubhouses above fiscal year 2012 expenditures for clubhouses; provided further, that funds shall be expended at the same level as the prior fiscal year for jail diversion programs in municipalities that provide equal matching funds from other public or private sources”, and in said item by striking out the figures “342,668,578” and inserting in place thereof the figures “343,168,578”;

In item 5055-0000 by striking out the figures “8,097,163” and inserting in place thereof the figures “8,297,163”;

[A] In item 5095-0015, in line 13, by inserting after the words “received at the closed facility” the following: “; provided further, the department shall maintain the capacity for 30 vendor operated continuing care inpatient beds in the southeastern region of Massachusetts; provided further the department of mental health shall file a report including but not limited to: 1) a comprehensive review and evaluation of the commonwealth’s inpatient mental healthcare system, 2) the statewide network of community based services and supports and 3) the continuum of care in all regions of Massachusetts; provided further, that prior to filing said report the department shall solicit testimony and recommendations from organizations including but not limited to: 1) the chairs of the joint committee on mental health and substance abuse, 2) the Association for Behavioral Healthcare, 3) the Massachusetts Psychiatric Society, 3) the Massachusetts Nurses Association, 4) the National Alliance on Mental Illness of Massachusetts, 5) and the Massachusetts Society for the Prevention of Cruelty to Children; provided further, said report shall be filed with the joint committee on mental health and substance abuse and the house and senate committees on ways and means, no later than December 28th 2012”, and in said item by striking out the figures “152,988,321” and inserting in place thereof the figures “161,488,321”;

In item 5911-1003 by striking out the figures “62,084,732” and inserting in place thereof the figures “62,284,732”;

In item 5920-3010, in line 13, by inserting after the word “that” the words “the waiver program is fully enrolled and”.

[B] Pending the question on adoption of the amendments, the same member moved that they be amended by striking out [at “A”] the proposed amendment to item 5095-0015 and inserting in place thereof the following:—

In item 5095-0015, in line 13, by inserting after the words “received at the closed facility” the following: “; provided further, the department shall maintain the capacity for 30 vendor-operated continuing care inpatient beds in the southeastern region of Massachusetts”, and in said item by striking out the figures “152,988,321” and inserting in place thereof the figures “161,488,321”; and by adding at the end of said amendments [at “B”] the following:—

By inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 142. There shall be hereby established a special commission to conduct a comprehensive review and evaluation of the commonwealth’s inpatient mental healthcare system including, but not limited to, the statewide network of community-based services and support and the continuum of care in all regions of Massachusetts.

The commission shall consist of 9 members, 1 of whom shall be appointed by the speaker of the house of representatives, who shall serve as co-chair; 1 of whom shall be appointed by the president of the senate, who shall serve as co-chair; 1 of whom shall be appointed by the minority leader of the house of representatives; 1 of whom shall be appointed by the minority leader of the senate; 1 of whom shall be appointed by the Governor; 1 of whom shall be a representative of the Arc of Massachusetts; 1 of whom shall be a representative of the Association of Behavioral Health Systems; 1 of whom shall be a representative of the Disability Law Center; and 1 of whom shall be a representative of the Massachusetts Psychiatric Society.

The department of mental health shall provide any information requested by the commission in order to further the purposes of the commission; provided, however, that such information shall not be provided to the commission if the information would violate the federal Health Insurance Portability and Accountability Act of 1996.

The commission shall file a report of their findings, together with recommendations for legislation, if any, with the joint committee on mental health and substance abuse and the house and senate committees on ways and means, no later than December 28, 2012.”.

The further amendments were adopted.

After debate the amendments, as amended, then also were adopted.

Recess.

At eighteen minutes after eleven o’clock P.M. (Tuesday, April 25), on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until the following day at ten o’clock A.M.; and six minutes after ten o’clock the House was called to order with Mr. Donato in the Chair. Recess.

Wednesday, April 25, 2012 (at 10:06 o'clock A.M.).

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.

Statement of Representative Creedon of Brockton.

A statement of Mrs. Creedon of Brockton, submitted subsequent to the session, was spread upon the records of the House, as follows:

Statement of
Mrs. Creedon
of Brockton.

MR. SPEAKER: I would like to call to the attention of the House the fact that due to a personal commitment, and unaware that a vote would be taken on the E.B.T. issue, I departed from the State House during the evening of April 25, prior to the vote on the further amendment to amendment number 804, relative to E.B.T. cards. Had I been present for Yea and Nay No. 242, I would have voted in the affirmative, since this is an issue of which I have deep concern. My missing of roll calls that night was due entirely to the reason stated.

Guests of the House.

Norwood
High School
cheerleaders.

During the session, Mr. Rogers of Norwood took the Chair, declared a recess, and acknowledged the return of Senator Rush of Boston from his duties overseas as an officer in the United States Navy. Mr. Rogers then introduced the state champion Norwood High School cheerleaders. They were the guests of Representative Rogers, Scaccia of Boston and Coppinger of Boston and Senator Rush.

Orders.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Education
committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Monday, July 2, 2012, within which to make its final report on current Senate document numbered 2197 and current House documents numbered 4003.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Resolutions.

Rosemary
Rimkus.

Resolutions (filed with the Clerk by Ms. Hogan of Stow) congratulating Rosemary Rimkus on receiving the Good Scout Award from the Knox Trail Boy Scouts, 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 Mrs. Canavan of Brockton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Resolutions (filed with the Clerk by Representatives Linsky of Natick and Peisch of Wellesley) congratulating Daniel Rea on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on

Daniel Rea.

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

Monthly Report.

A monthly report of the Executive Office of Labor and Workforce Development (under Chapter 142 of the Acts of 2003) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for March, 2012, was placed on file.

Unemployment Trust Fund.

Petitions.

Mr. Basile of Boston presented a petition (subject to Joint Rule 12) of Carlo Basile and others relative to home modification benefits for certain disabled veterans; and the same was referred, under Rule 24, to the committee on Rules.

Veterans,—
home
modification
benefits.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Barrows of Mansfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Sent to the Senate for concurrence.

By Mr. Frost of Auburn (by request), an additional petition (having been deposited with the Clerk previous to five o'clock in the afternoon on Friday, January 21, 2011) (accompanied by bill, House, No. 4055) of Robert Steinmetz relative to establishing an animal abuse registry, was presented; and it was referred, under Rule 24 and Joint Rule 13, to the committee on the Judiciary. Sent to the Senate for concurrence.

Animal
abuse,—
registry.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Joint petition (accompanied by bill) of John J. Binienda and Michael O'Moore for legislation to prohibit the towing of certain motor vehicles containing an unsupervised animal; and

Vehicle
towing,—
animals.

Petition (accompanied by bill) of John J. Binienda for legislation to prevent illegal drug dealing near recreational facilities;

Recreational
facilities,—
drug dealing.

Severally to the committee on the Judiciary.

Joint petition (accompanied by bill) of Jennifer E. Benson and Jennifer L. Flanagan for legislation to establish a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services. To the committee on Public Service.

Mark
Lewis,—
sick leave.

Under suspension of the rules, on motion of Mr. Barrows of Mansfield, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Recess.

Recess.

At seventeen minutes after ten o'clock A.M. (Wednesday, April 25), on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before eleven o'clock; and seventeen minutes before one o'clock P.M. the House was called to order with Mrs. Haddad of Somerset in the Chair.

Orders of the Day.

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Bill.

The House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interests, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4100, amended), was considered.

After debate on the question on passing the bill, as amended, to be engrossed, Ms. Gobi of Spencer moved to amend it in section 2, in item 9110-1900, by adding the words “; provided, that funds shall be expended for the senior farm share program”, and in said item by striking out the figures “6,325,328” and inserting in place thereof the figures “6,375,328”. The amendments were adopted.

Consolidated
amendments
(health and
human services
and elder
affairs).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 1108-5200 by striking out the figures “1,133,002,702” and inserting in place thereof the figures “1,228,002,702”;

In item 4000-0050 by striking out the figures “167,192” and inserting in place thereof the figures “235,485”;

By striking out item 4000-0300 and inserting in place thereof the following item:

“4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced inter-agency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; pro-

vided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of said Social Security Act or the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient services at acute care pediatric hospitals as defined in section 1 of chapter 118G of the General Laws, the executive office shall make a supplemental payment, if necessary, sufficient to assure that inpatient SPAD and outlier payments for discharges with a case mix acuity equal to or greater than 5 shall be at least equal to 85 per cent of the expenses incurred in providing services to those children; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure

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Appropriation
Bill.

refunds; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, the executive office shall not set further limitations for acute care hospital inpatient and outpatient case-mix appeals than those in effect as of February 1, 2012; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that the executive office shall maintain the fiscal year 2012 overall reimbursement rate for the commonwealth's only medical respite program for the homeless; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that not later than January 18, 2013 the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2012 and fiscal year 2013; provided further, that funds shall be expended to support the functions of the office of performance management in carrying out the executive order known as 'Improving the Performance of State Government by Implementing a Comprehensive Strategic Planning and Performance Management Framework in the Executive Departments'; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and

means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2013 \$87,222,963”;

In item 4000-0600, in line 15, by striking out the words “up to” and inserting in place thereof the word “of”;

In item 4000-0640, in line 8, by inserting after the word “policy” the following: “; provided further, that effective July 1, 2012 for the fiscal year ending June 30, 2013, the division of health care finance and policy shall establish nursing facility MassHealth rates that fully recognize the Medicaid share of the nursing home assessment established by section 25 of chapter 118G of the General Laws, and fund continuation of the Fiscal Year 2012 Add-On provision in section 6.06(13) of the division of health care finance and policy’s 114.2 CMR 6.00: Standard Payments to Nursing Facilities, enacted on September 1, 2011; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members; and provided further that the MassHealth agency shall adopt regulations and procedures necessary to carry out section”, and in said item by striking out the figures “288,500,000” and inserting in place thereof the figures “318,500,000”;

In item 4000-0700 by striking out the figures “1,939,680,126” and inserting in place thereof the figures “1,954,480,126”;

In item 4000-1602 by striking out the figures “500,000” and inserting in place thereof the figure “1,000,000”;

In item 4401-1000, in line 5, by striking out the figures “3,000,000” and inserting in place thereof the figures “4,000,000” and at the end of said item by striking out the figures “7,109,035” and inserting in place thereof the figures “8,109,035”;

In item 9110-1500 by striking out the figures “47,289,340” and inserting in place thereof the figures “47,789,340”;

In item 9110-1660 by striking out the figures “1,610,617” and inserting in place thereof the figure “1,717,616”;

In item 9110-1700 by striking out the figures “136,000” and inserting in place thereof the figures “186,000”, and

In item 9110-9002, in line 5, by inserting after the words “established by the secretary of elder affairs” the following: “; provided further, that not less than \$100,000 shall be spent for the Needham Senior Center located in the town of Needham”, and in said item by striking out the figures “8,060,177” and inserting in place thereof the figures “8,534,177”;

In section 2E, in item 1595-5819, by striking out the figures “795,022,286” and inserting in place thereof the figures “741,278,955”; and

By inserting before the effective date sections (which were subsequently renumbered) the following six sections:

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Appropriation
Bill.

“SECTION 143. Chapter 118E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 62 the following new section:—

Section 63. Auto-Assignment for Medicaid Beneficiaries.

Beginning October 1, 2012, and until such time as the Managed Care Advisory Committee, established pursuant to Section 178 of Chapter 131 of the Acts of 2010 has filed its report with the legislature, the division shall make provisions to enroll those MassHealth beneficiaries who did not affirmatively select a managed care option into a Medicaid managed care organization that has contracted with the Commonwealth to deliver managed care services to eligible MassHealth beneficiaries, provided that the division shall give the Primary Care Clinician plan no greater preference than any single MCO in such assignment process and shall divide said assigned members equally among the Primary Care Clinician Plan and individual Medicaid managed care organizations on a rotating basis.

SECTION 144. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall conduct a procurement to select an entity or entities to conduct an analysis of the children with complex care needs in the MassHealth program. The goal of the procurement shall be to identify a suitable vendor to partner with the Executive Office to identify all children with complex care needs in the MassHealth program, understand the services, service providers and medical resources utilized and current costs of serving these children; and to analyze the suitability of their current primary or majority care settings relative to the goals of the Commonwealth’s Patient-Centered Medical Home Initiative and the goal of providing the highest quality care most efficiently by managing care and utilization of services. The analysis conducted pursuant to the procurement shall group the patients by primary diagnosis, including mental health diagnoses, or other clinical profile characteristics and assess the current medical home capabilities of primary care providers for the relevant patients in each category, by geographic region. The office shall not award any money or other compensation with the contract. The request for proposals shall be released by October 1, 2012 and the vendor shall be selected by November 30, 2012.

The chosen entity or entities shall produce a report of its findings to the executive office of health and human services, the division of insurance, the joint committee on health care finance, the house and senate committees on ways and means and the house and senate clerks, for public availability, no later than August 31, 2013. Such report shall include the following: (a) recommendations for how children with complex care needs could be served in keeping with the goals of the Commonwealth’s Patient Centered Medical Home Initiative; (b) recommendations for appropriate quality benchmarks for their care or recommendations regarding the development of such metrics; (c) an analysis of potential federal and external funding sources; and (d) an analysis of care models and financial arrangements used for children with complex care needs in other states.

SECTION 145. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall conduct an investigation of all federal and state assistance programs to

determine which have eligibility requirements within the requirements of MassHealth and which could feasibly share data with the MassHealth program for purposes of renewing eligible children and their eligible parents in MassHealth through the express-lane eligibility option created under the Children's Health Insurance Program Reauthorization Act of 2009 (PL 111-3). The office shall submit a report on the results of that investigation to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on children and families and persons with disabilities and the house and senate clerks not later than April 1, 2013.

SECTION 146. Notwithstanding any general or special law to the contrary, there shall be a special commission for the purpose of studying and making recommendations concerning services for unaccompanied homeless youth age 22 and under, with the goal of ensuring a comprehensive and effective response to the unique needs of this population. The focus of the commission's work shall include, but not be limited to, an analysis of the barriers to serving unaccompanied youth who are gay, lesbian, bisexual, and transgender; an analysis of the barriers to serving unaccompanied youth under 18 years of age; an assessment of the impact of mandated reporting requirements on unaccompanied youths' access to services; the state's ability to identify and connect with unaccompanied youth; and recommendations to reduce identified barriers to serving this population, including, but not limited to, extending the time for certain categories of mandated reporters to file reports and establishing special licensure provisions to allow service providers to serve homeless youth under 18 years of age. The commission, in formulating its recommendations, shall take account of best practices and policies in other states and jurisdictions.

The commission shall include, the secretary of health and human services, the commissioner of the department of children and families, the commissioner of the department of elementary and secondary education, the commissioner of the department of public health, the commissioner of the department of mental health, the commissioner of MassHealth, the commissioner of the department of transitional assistance, the undersecretary of housing and community development, 2 members of the senate, appointed by the senate president, 2 members of the house of representatives, appointed by the speaker of the house, 3 youth who have experienced homelessness, appointed by the office of the child advocate, and a representative from each of the following organizations: Massachusetts Coalition for the Homeless, Task Force on Youth aging Out, Massachusetts Appleseed Center for Law and Education, MassEquality, Massachusetts Housing and Shelter Alliance, Massachusetts Transgender Political Coalition, the Boston Alliance of Gay, Lesbian Bisexual and Transgender Youth, and three persons to be named by the Governor.

The commission shall submit a report to the Governor, the speaker of the house of representatives and the president of the senate, the joint committee on children, families and persons with disabilities and the office of the child advocate no later than March 31, 2013, setting forth the commission's findings, together with any recommendations for regulatory or legislative action with a timeline for implementation, cost estimates and finance mechanisms. Thereafter, the commission shall

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submit a report annually by December 31st of each year to the Governor, the speaker of the house of representative and the president of the senate, the joint committee on children, families and persons with disabilities, the clerks of the house of representatives and the senate and the office of the child advocate, detailing the extent of homelessness among unaccompanied youth within the commonwealth and the progress made toward implementing the commission's recommendations along with other efforts to address the needs of this population.

SECTION 147. Notwithstanding any general or special law to the contrary, the department of revenue, in conjunction with the executive office of health and human services, shall investigate and report on the feasibility and costs of implementing a sales tax exemption for any medical equipment deemed medically necessary and prescribed by a physician. The department of revenue shall report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the house of representatives and senate, the joint committee on revenue and the house and senate committees on ways and means not later than December 31, 2012."

The Speaker being in the Chair,—

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mrs. Wolf of Cambridge; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 150 members voted in the affirmative and 5 in the negative.

[See Yea and Nay No. 237 in Supplement.]

Therefore the amendments were adopted.

Amendments
(health and
human services
and elder
affairs)
adopted,—
yea and nay
No. 237.

Recess.

At two minutes after two o'clock P.M. (Wednesday, April 25), on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House recessed until three o'clock; and at twenty-one minutes after three o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following four sections:

"SECTION 148. Section 24 of chapter 138 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, in line 17, after the words 'quantities thereof', the following:— ; provided, further, that no regulation promulgated as a result of this section shall prohibit the practice of selling, offering to sell or delivering to any person or group of persons any drinks at a price less than the price regularly charged for such drinks for a period longer than 48 hours, except at private functions not open to the public.

SECTION 149. Notwithstanding any general or special law to the contrary, the alcoholic beverages control commission shall, 1 year after the effective date of section 176, conduct an investigation and study as to of the impacts of said section. The commission shall report the results of its investigation and study, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives, who shall forward the same to the joint committee on consumer protection and professional licensure on or before December 31, 2013.

SECTION 150. Section 106 of chapter 194 of the acts 2011 is hereby amended by inserting after the second sentence the following sentence:— In addition, the alcohol beverages control commission shall also investigate and report on the possibility of promulgating regulations allowing for the practice of selling, offering to sell or delivering to any person or group of persons any drinks at a price less than the price regularly charged for such drinks for period longer than 48 hours, except at private functions not open to the public.

SECTION 151. Said section 106 of said chapter 194 is hereby further amended by striking out the words ‘June 30, 2013’ and inserting in place thereof the following words:— October 1, 2012.”.

The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following two sections:

“SECTION 152. Section 3A of chapter 60 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(e) The collector may issue an electronic bill or notice for any other tax, excise, betterment or assessment committed by the assessors under a voluntary electronic billing program established for such tax, excise, betterment or assessment in the manner set forth in subsection (c). The electronic bill or notice issued under the program must meet the standards required by law for such tax, excise, betterment or assessment bills or notices.

SECTION 153. Section 2 of chapter 60A of the General Laws, as appearing the 2010 Official Edition, is hereby amended by striking the following sentence in lines 28-31:— All tax notices sent to owners of vehicles notifying said owners of the amount of excise tax due and the due date shall indicate the owner’s license to operate number as appearing on the registration application, renewal application or amended registration as provided in section two of chapter ninety.”.

The amendment was adopted.

Mr. D’Emilia of Bridgewater and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 154. Section 10 of chapter 132 of the acts of 2009 is hereby repealed.

SECTION 155. Chapter 112 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 1A, the following new section:—

Section 1B. (a) The director and each of the boards of registration and examination under the director’s supervision, shall upon presentation of satisfactory evidence by an applicant for certification or licensure, accept education, training, or service completed by an individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter 4; or the United States military reserves toward the qualifications required to receive the license or certification in question.

(b) The commissioner of public health and each of the boards of registration and examination under the commissioner’s supervision, shall upon presentation of satisfactory evidence by an applicant for certification or licensure, accept education, training, or service

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completed by an individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter 4, or the United States military reserves toward the qualifications required to receive the license or certification in question.

(c) Notwithstanding any general or special law to the contrary, if a licensee or certificate holder, pursuant to chapter 112, is engaged in active service in the armed forces of the United States, as defined in clause 43 of section 7 of chapter 4, the license or certification held by a licensee or certificate holder shall remain valid until the licensee or certificate holder is released from active duty and for a period of not less than 90 days following said release.

(d) Notwithstanding any general or special law to the contrary, the commissioner of public health and each of the boards of registration and examination under the supervision of the commissioner, shall upon presentation of satisfactory evidence by an applicant for certification or licensure, expedite the issuance of a license or certification to a person: (i) who is certified or licensed in a state other than Massachusetts, (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is a the subject of a military transfer to Massachusetts; and (iv) who left employment to accompany the person's spouse to Massachusetts. The procedure shall include, but shall not be limited to: (v) issuing the person a license or certificate, if, in the opinion of the department, the requirements for licensure or certification of such other state are substantially equivalent to that required in Massachusetts; or (vi) issuing the person a temporary license or certificate to allow the person to perform services while completing any specific requirements that may be required in Massachusetts but were not required in the state in which the person was licensed or certified.

(e) Notwithstanding any general or special law to the contrary, the director and each of the boards of registration and examination under the supervision of the director, shall upon the presentation of satisfactory evidence by an applicant for certification or licensure, expedite the issuance of a license or certification for a person: (i) who is certified or licensed in a state other than Massachusetts; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to Massachusetts; and (iv) who left employment to accompany their spouse to Massachusetts. The procedure shall include, but not be limited to: (i) issuing said person a license or certificate, if, in the opinion of the department, the requirements for licensure or certification of such other state are substantially equivalent to those required in Massachusetts; or (ii) issuing said person a temporary license or certificate to allow said person to perform services while completing any specific requirements that may be required in Massachusetts but were not required in the state in which said person was licensed or certified.

(f) The director and each of the boards of registration and examination under the director's supervision shall adopt all necessary rules, regulations, and procedures to implement the provisions of this section, effective beginning January 1, 2013.

(g) The commissioner and each of the boards of registration and examination under the commissioner's supervision shall adopt all necessary rules, regulations, and procedures to implement the provisions of this section, effective beginning January 1, 2013.

SECTION 156. Chapter 147 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 61 the following new section:—

Section 62. (a) The commissioner shall coordinate and adopt a uniform policy within the department to accept, upon presentation of satisfactory evidence by an applicant for certification or licensure under the authority of the department, education, training, or service completed by an individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter 4, or the United States military reserves toward the qualifications required to receive the license or certification in question.

(b) Notwithstanding any general or special law to the contrary, if a licensee or certificate holder, who received a license or certificate under the authority of the department, is engaged in active service in the armed forces of the United States, as defined in clause 43 of section 7 of chapter 4, the license or certification held by a licensee or certificate holder shall remain valid until the licensee or certificate holder is released from active duty and for a period of not less than ninety days following said release.

(c) Notwithstanding any general or special law to the contrary, the commissioner shall establish a procedure within the department to, upon the presentation of satisfactory evidence by an applicant for certification or licensure under the authority of the department, expedite the issuance of a license or certification for a person: (i) who is certified or licensed in a state other than Massachusetts; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to Massachusetts; and (iv) who left employment to accompany their spouse to Massachusetts. The procedure shall include, but not be limited to: (i) issuing said person a license or certificate, if, in the opinion of the department, the requirements for licensure or certification of such other state are substantially equivalent to those required in Massachusetts; or (ii) issuing said person a temporary license or certificate to allow said person to perform services while completing any specific requirements that may be required in Massachusetts but were not required in the state in which said person was licensed or certified.

(d) The commissioner and the department shall adopt all necessary rules, regulations, and procedures to implement the provisions of this section, effective January 1, 2013.”

The amendment was adopted.

Mr. Brady of Brockton and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 157. Notwithstanding chapter 128C of the General Laws or any other general or special law or rule or regulation to the contrary, the greyhound meeting licensees located in Bristol county shall receive a credit of \$75,121.20 for unreimbursed Promotional Fund projects which credit shall be applied against said licensees payment obligation to the Racing Stabilization Fund established pursuant to section 20 of chapter 167 of the acts of 2009, as amended by section 14 of chapter 86 of the acts of 2010.”

The amendment was rejected.

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Representatives Orrall of Lakeville and Turner of Dennis then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 157. Section 25 of Chapter 151A, as so appearing, is hereby amended by adding at the end thereof the following (k) employees terminated for and proven; stealing from their place of employment or for illegal drug use while at work or drunkenness while at work.”.

The amendment was adopted.

Mr. O’Day of West Boylston then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 158. Section 3 of chapter 32 of the General Laws as appearing in the 2006 Official Edition is hereby amended in line 252 by inserting after the word prisoners the following words: employees of the department of children and families holding the title of social worker A/B, C, or D or successive titles who have been employed in such titles for 10 years or more.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following two sections:

“SECTION 159. Section 8F of chapter 12 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking, in line 135, the figure ‘\$5,000’ and inserting in place thereof the following figure:— \$10,000.

SECTION 160. Said section 8F of chapter 12 is hereby amended by adding, at the end thereof, the following:—

A public charity, or an officer or agent of a public charity, who knowingly makes, executes or files a report false in any material representation shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.”.

The amendment was adopted.

Mr. Rogers of Norwood and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 161. Chapter 10 of the General Laws is hereby amended by striking out section 66, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:—

Section 66. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Victims of Drunk Driving Trust Fund. The fund shall consist of monies paid to the courts pursuant to the third paragraph of subparagraph (1) of paragraph (a) of subdivision (1) of section 24 of chapter 90, together with any interest or earnings accrued on such monies through investment or deposit. The state treasurer shall be the custodian of the fund and shall receive, deposit and invest all monies transmitted to him under this section in accordance with sections 34, 34A and 38 of chapter 29 in such a manner as to secure the highest rate of return available consistent with the safety of the fund, and shall credit interest and earnings on the trust fund corpus to the trust fund. The state treasurer shall transfer funds from the income and receipts of the fund to the victim and witness

assistance board, as established in section 4 of chapter 258B, from time to time, at the request of the board. The board shall administer grants from the fund, without further appropriation, and may award them to community-based programs and public agencies in the commonwealth to provide counseling and support services to victims, witnesses, and their family members of crashes caused by persons driving under the influence of drugs or alcohol. The board may also permit the allocation of funds for the purposes of impaired driving prevention, education, and training services. The board shall develop, in conjunction with the department of public health's bureau of substance abuse and the Massachusetts chapter of Mothers Against Drunk Driving, written criteria for the awarding of grants and other funding allocations, which shall be evaluated and, if necessary, revised on an annual basis. For the purposes of this section, the words 'victim,' 'witness,' and 'family member' shall have the same meaning as defined in section 1 of said chapter 258B.

The board shall file a report detailing the amount of funds collected and expended from the fund along with a copy of the written criteria used to expend the funds to the house and senate committees on ways and means not later than February 28 of each calendar year. An amount not to exceed 5 per cent of the total funds deposited in the fund may be expended by the board for administrative costs directly attributable to the grants and programs funded by the fund, including, but not limited to, the costs of clerical and support personnel. Any unexpended balance of monies in the fund at the end of the fiscal year shall not revert to the General Fund but shall remain available for expenditure from such fund in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.”

The amendment was adopted.

Ms. Balser of Newton and other members of the House then moved to amend the bill in section 2, in item 4512-0225, by striking out the figures “1,000,000” and inserting in place thereof the figures “1,830,000”. The amendment was adopted.

Mr. Dempsey of Haverhill and others then moved to amend the bill in section 2

By inserting after item 4408-1000 the following item:

Consolidated amendments (public health).

“4510-0020 For the department of public health, which may expend not more than \$375,000 in revenues collected from fees charged by the food protection programs for program costs of the department's food protection program; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system \$375,000”;

In item 4510-0110 by adding the following: “; and provided further, that no less than \$100,000 shall be expended for the South Boston Community Health Center for the implementation of the South Boston

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Leadership Initiative pilot program” and in said item by striking out the figures, “965,634” and inserting in place thereof the figures “1,065,634”;

In item 4510-0600, in line 13, by adding the following: “; and provided further, that \$150,000 shall be expended for a comprehensive study of the exposure routes and patterns of contaminants in the Maple Meadowbrook Aquifer migrating to and affecting the Wilmington drinking water supply and the incidence of childhood cancer in the town of Wilmington”, and in said item by striking out the figures “3,163,711” and inserting in place thereof the figures “3,313,711”;

In item 4510-0725 by striking out the figures “232,382” and inserting in place thereof the figures “273,383”;

In item 4512-0103 by striking out the figures “31,597,810” and inserting in place thereof the figures “32,097,810”;

In item 4512-0200 by adding the following: “; provided further, that not less than \$125,000 shall be expended for Self Esteem Boston’s substance abuse direct service prevention and provider training programs; provided further, that not less than \$200,000 shall be expended to fund the Gavin Foundation, Inc.’s Speakers for Hope program; and provided further, that not less than \$300,000 shall be expended for integrated treatment and stabilization services for individuals and families living with co-occurring substance use and mental health disorders”, and in said item by striking out the figures “76,539,595” and inserting in place thereof the figures “77,539,595”;

In item 4512-0201 by striking out the figures “2,800,000” and inserting in place thereof the figures “4,800,000”;

By inserting after item 4512-0201 the following item:

“4512-0203 For family intervention and care management services programs, a young adult treatment program, and early intervention services for individuals who are dependent on or addicted to alcohol or controlled substances or both alcohol and controlled substance \$1,500,000”;

In item 4512-0500 by adding the following: “; and provided further, that funds shall be expended for the Forsyth Institute’s Center for Children’s Oral Health”;

In item 4513-1000 by striking out the figures “4,563,911” and inserting in place thereof the figures “4,763,911”;

In item 4513-1020 by striking out the figures “25,723,610” and inserting in place thereof the figures “27,023,610”;

By inserting after item 4513-1020 the following item:

“4513-1023 For the universal newborn hearing screening program; provided, that funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department’s receipt of data indicative of potential hearing disorders in newborns \$68,938”;

By inserting after item 4513-1026 the following item:

“4513-1098 For the provision of statewide support services for survivors of homicide victims, including outreach services, burial assistance, grief counseling, and

other support services; provided, that funds shall be expended as grants in the aggregate amount of \$125,000 to the Louis D. Brown Peace Institute, a community-based support organization dedicated to serving families and communities impacted by violence \$125,000”;

By striking out item 4513-1111 and inserting in place thereof the following item:

“4513-1111 For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; hepatitis C prevention and management; multiple sclerosis screening, information, education and treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws; and maintenance of the statewide lupus database; provided further, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; and provided further, that \$50,000 shall be expended for education and support of patients diagnosed with PKU or related disorders and their families through a grant to NECPAD \$3,400,000”;

In item 4513-1130 by adding the following: “; and provided further, that funds may be expended for classroom-based domestic violence prevention education programs administered in item 0340-0900 in fiscal year 2009”;

In item 4518-0200 by striking out the figures “466,904” and inserting in place thereof the figures “616,904”;

In item 4590-0250, in line 1, by inserting after the word “public” the following: “and non-public”, and in said item by striking out the figures “11,132,301” and inserting in place thereof the figures “11,332,301”;

In item 4590-0300 by adding the following: “; and provided further, that not less than \$100,000 shall be expended for the Massachusetts Model of Community Coalitions”, and in said item by striking out the figures “4,150,703” and inserting in place thereof the figures “4,400,703”;

In item 4590-0912 by striking the figures “16,457,488” and inserting in place thereof the figures “16,953,548”;

In item 4590-0915 by striking out the figures “139,768,772” and inserting in place thereof the figures “144,090,926”;

In item 4590-1506 by striking out the figures “1,000,000” and inserting in place thereof the figures “1,500,000”, and

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In item 4590-1507 by adding the following: “; provided further, that each organization previously included in the youth-at-risk grants shall receive in fiscal year 2013 a grant amount not less than that received in fiscal year 2012; and provided further, that funds granted to the Massachusetts Alliance of Boys & Girls Clubs must be distributed equally between said recipient’s member organizations”, and in said item by striking out the figures “1,800,000” and inserting in place thereof the figures “1,900,000”;

By striking out section 46 and inserting in place thereof the following section:

“SECTION 46. Chapter 111N of the General Laws is hereby repealed.”; and

By inserting before the effective date sections (which were subsequently renumbered) the following six sections:

“SECTION 162. Section 5 of chapter 112 of the General Laws is hereby amended by striking out paragraphs 6 through 8, inclusive, and inserting in place thereof the following four paragraphs: —

The board shall collect the following information reported to it to create individual profiles on licensees and former licensees, in a format created by the board that shall be available for dissemination to the public: (a) a description of any criminal convictions for felonies and serious misdemeanors as determined by the board. For the purposes of this subsection, a person shall be deemed to be convicted of a crime if he pleaded guilty or if he was found or adjudged guilty by a court of competent jurisdiction; (b) a description of any charges for felonies and serious misdemeanors as determined by the board to which a physician pleads nolo contendere or where sufficient facts of guilt were found and the matter was continued without a finding by a court of competent jurisdiction; (c) a description of any final board disciplinary actions; (d) a description of any final disciplinary actions by licensing boards in other states; (e) a description of revocation or involuntary restriction of privileges by a hospital, clinic or nursing home under the provisions of chapter 111, or of any employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth, for reasons related to competence or character that have been taken by the governing body or any other official of the hospital, clinic or nursing home or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth after procedural due process has been afforded, or the resignation from or nonrenewal of medical staff membership or the restriction of privileges at a hospital, clinic or nursing home or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth taken in lieu of or in settlement of a pending disciplinary case related to competence or character in that hospital, clinic or nursing home or of any employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth; (f) all medical malpractice court judgments and all medical malpractice arbitration awards in which a payment is awarded to a complaining party and all settlements of medical malpractice

claims in which a payment is made to a complaining party. Dispositions of paid claims shall be reported in a minimum of three graduated categories indicating the level of significance of the award or settlement. Information concerning paid medical malpractice claims shall be put in context by comparing an individual licensee's medical malpractice judgment awards and settlements to the experience of other physicians within the same specialty. Information concerning all settlements shall be accompanied by the following statement: 'Settlement of a claim may occur for a variety of reasons which do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred.'

Nothing herein shall be construed to limit or prevent the board from providing further explanatory information regarding the significance of categories in which settlements are reported. Pending malpractice claims shall not be disclosed by the board to the public. Nothing herein shall be construed to prevent the board from investigating and disciplining a licensee on the basis of medical malpractice claims that are pending. (g) names of medical schools and dates of graduation; (h) graduate medical education; (i) specialty board certification; (j) number of years in practice; (k) names of the hospitals where the licensee has privileges; (l) appointments to medical school faculties and indication as to whether a licensee has a responsibility for graduate medical education within the most recent ten years; (m) information regarding publications in peer-reviewed medical literature within the most recent ten years; (n) information regarding professional or community service activities and awards; (o) the location of the licensee's primary practice setting; (p) the identification of any translating services that may be available at the licensee's primary practice location; (q) an indication of whether the licensee participates in the Medicaid program.

The board shall provide individual licensees with a copy of their profiles prior to release to the public. A licensee shall be provided a reasonable time to correct factual inaccuracies that appear in such profile. A physician may elect to have his profile omit certain information provided pursuant to clauses (l) to (n), inclusive, concerning academic appointments and teaching responsibilities, publication in peer-reviewed journals and professional and community service awards. In collecting information for such profiles and in disseminating the same, the board shall inform physicians that they may choose not to provide such information required pursuant to said clause (l) to (n), inclusive. For physicians who are no longer licensed by the board, the board shall continue to make available the profiles of such physicians, except for those who are known by the board to be deceased.

The board shall maintain the information contained in the profiles of physicians no longer licensed by the board as of the date the physician was last licensed, and include on the profile a notice that the information is current only to that date.

SECTION 163. Section 3 of chapter 175H of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, at the end thereof, the following two paragraphs:—

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This section shall not apply to a discount, rebate, free product voucher or other reduction in out-of-pocket expenses, including but not limited to co-payments and deductibles on a prescription drug, biologic or vaccine provided by a pharmaceutical manufacturing company that is made available to an individual, if such is provided directly or electronically to the individual or through a so-called 'point of sale' or 'mail-in' rebate, or through similar means; provided however, that a pharmaceutical manufacturing company shall neither exclude nor favor any individual pharmacy or restricted network of pharmacies in the design of such discount, rebate, free product voucher or other expense reduction offer to an individual; provided further, that this section does not negate the need for a written prescription as otherwise required by law, nor is it intended to constrain a carrier or a health maintenance organization, as defined in chapter 118G, with regard to how its plan design will treat such discounts, rebates, free product voucher or other reduction in out of pocket expenses, including but not limited to co-payments and deductibles.

For purposes of the Federal Health Insurance Portability and Accountability Act of 1996 and regulations issued there under, nothing in this section shall be deemed to require or allow the use or disclosure of health information in any manner that does not otherwise comply with such Act or such regulations.

SECTION 164. Section 54 of chapter 288 of the acts of 2010 is hereby amended by striking the second paragraph in its entirety and replacing it with the following new language:—

The department of public health shall convene a statewide advisory committee which shall recommend to the department by November 1, 2012 the Standard Quality Measure Set. The statewide advisory committee shall consist of the commissioner of health care finance and policy or the commissioner's designee, who shall serve as the chair; and up to 8 members, including the executive director of the group insurance commission and the Medicaid director, or the directors designees; and up to 6 representatives of organizations to be appointed by the Governor including at least 1 representative from an acute care hospital or hospital association, 1 representative from a provider group or medical association or provider association, 1 representative from a medical group, 1 representative from a private health plan or health plan association, 1 representative from the Massachusetts Association of Health Plans, 1 representative from an employer association and 1 representative from a health care consumer group.

SECTION 165. The second paragraph of section 181 of chapter 68 of the acts of 2011 is hereby amended by striking out the figure '2012' and inserting in place thereof the following figure:— 2013.

SECTION 166. Notwithstanding any general or special law to the contrary there is hereby established a special commission for the purpose of conducting an investigation and study of strategies to promote public awareness and increase knowledge of the causes of chronic obstructive pulmonary disease (COPD), the importance of early diagnosis, effective prevention strategies, and disease management. Said special commission shall determine what existing resources are currently being utilized, if there exists a solid scientific base of knowledge concerning COPD through surveillance, epidemiology, and research,

and whether there is a need for improving the quality and accessibility of existing community-based COPD services. Said special commission shall consist of the chairs of the joint committee on public health, or their designees; the commissioner of the department of public health, or a designee; the secretary of the executive office of elder affairs, or a designee; a representative of the American Lung Association; and 4 members appointed by the Governor, from the following populations: a patient representative; a pulmonologist; a respiratory therapist; and a representative of the health insurance industry. Said special commission shall report, in writing the results of said study together with its recommendations, if any, not later than December 31, 2013.

SECTION 167. (a) Current positions and employees of the Massachusetts Office of Victims Assistance in the Sexual Assault Nurse Examiner Program shall be transferred to the Department of Public Health for the purposes of operating the Sexual Assault Nurse Examiner Program pursuant to Section 220 of Chapter 111 of the Massachusetts General Laws.

(b) Notwithstanding Chapter 150E of the Massachusetts general laws, these employees shall maintain salary and benefits in effect prior to the transfer and shall not be subject to collective bargaining agreements within the Department of Public Health. Nothing in this section shall confer upon any employee of the Department's Sexual Assault Nurse Examiner Program any right not held immediately before the date of the transfer.

(c) The Department may fill vacancies in positions transferred pursuant to section 1, notwithstanding Chapter 150E of the General Laws, provided that the salaries and benefits of individuals hired into vacant positions are comparable to the salaries and benefits of individuals transferred into the same or similar positions within the Department's Sexual Assault Nurse Examiner Program.

(d) Subsections (b) and (c) of this act shall expire as of June 30, 2013."

Pending the question on adoption of the amendments, Mr. Dempsey of Haverhill moved to amend them by striking out proposed section 163 and inserting in place thereof the following four sections:

"SECTION 163. Section 3 of chapter 175H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting before the word 'Any', in line 1, the following:— (a).

SECTION 163A. Said section 3 of said chapter 175H, as so appearing, is hereby further amended by inserting after word 'rebate', in line 7, the following words:— , except as provided in subsection (b).

SECTION 163B. Said section 3 of said chapter 175H, as so appearing, is hereby further 7 amended by adding the following 3 subsections:—

(b)(1) This section shall not apply to any discount or free product vouchers that a retail pharmacy provides to a consumer in connection with a pharmacy service, item or prescription transfer offer or to any discount, rebate, product voucher or other reduction in an individual's out-of-pocket expenses, including co-payments and deductibles, on (i) any biological product as defined in section 351 of the Public Health Service Act, 42 USC 262, or (ii) any prescription drug provided by a pharmaceutical manufacturing company, as defined in section 1 of chapter 111N, that is made available to an individual if the discount,

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rebate, product voucher or other reduction is provided directly or electronically to the individual or through a point of sale or mail-in rebate, or through similar means; provided, however, that a pharmaceutical manufacturing company shall not exclude nor favor any pharmacy in the redemption of such discount, rebate, product voucher or other expense reduction offer to a consumer.

(2) Pharmaceutical manufacturing companies are prohibited from offering any discount, rebate, product voucher or other reduction in an individual's out-of-pocket expenses, including co-payments and deductibles, for any prescription drug that has an AB rated generic equivalent as determined by the Food and Drug Administration.

(c) Subsection (b) shall not: (i) restrict a pharmaceutical manufacturing company with regard to how it distributes a prescription drug, biologic or vaccine; or (ii) restrict a carrier or a health maintenance organization, as defined in section 1 of chapter 118G, with regard to how its plan design will treat such discounts, rebates, product voucher or other reduction in out-of-pocket expenses; or (iii) affect in any way the obligations of practitioners and pharmacists pursuant to the generic substitution statute as defined in section 12D of chapter 112.

(d) For purposes of the federal Health Insurance Portability and Accountability Act of 1996, hereinafter referred to as HIPAA, and regulations promulgated under HIPAA, nothing in this section shall be deemed to require or allow the use or disclosure of health information in any manner that does not otherwise comply with HIPAA or regulations promulgated under HIPAA.

SECTION 163C. By no later than December 31, 2015, the division of health care finance and policy, in consultation with the department of public health, shall conduct and complete an analysis of the impact on health care costs of the use of discounts, rebate, product voucher or other reduction for biological products and prescription drugs authorized pursuant to this Act. The report shall include, but not be limited to, a comparison of any change in utilization of generic versus brand name prescription drugs, the affect on patient adherence to prescribed drugs, patient access to innovative therapies, and an analysis of the impact on commercial health insurance premiums and on premiums associated with the group insurance commission. The division shall file a report of its findings with the clerks of the senate and house of representatives, the house and senate committees on ways and means and the joint committee on health care financing.”

The further amendment was adopted.

The amendments, as amended, then also were adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 168. There shall be a special commission to conduct an investigation and study of the activities and efficacy of the adjudication of unemployment insurance claims by the department of unemployment assistance under the executive office of labor and workforce development. The commission shall consist of 11 members: 2 members who shall be appointed by the state auditor, both of whom shall have experience with the adjudication of unemployment disputes, and 1 of whom shall serve as chair; 2 members of the senate, 1 of whom

shall be appointed by the senate president and 1 of whom shall be appointed by the minority leader of the senate; 2 members of the house of representatives, 1 of whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the minority leader of the house; the director of the department of unemployment assistance, or a designee; the president of the Massachusetts taxpayer's foundation, or a designee; the executive vice-president of the AFL-CIO, or a designee; the executive vice-president of associated industries of Massachusetts, or a designee; and the executive director of the Massachusetts municipal association, or a designee.

The study shall include, but not be limited to, an analysis of: (1) the number of claims received by the department quarterly since January 1, 2008 and the resulting status of all claims, including any information pertinent to the description of the status of said claims, including, but not limited to (i) the results of all initial determinations of claims, (ii) the results of any appeals resulting from said initial determination, (iii) the number of rulings reversed through the appeals and review process, (iv) the number of claims arising from the provisions of subdivisions (1) and (2) of subsection e of section 25 of chapter 151A, and (v) the number of claims settled in favor of the claimant and in favor of the employer; (2) the average length of time of the appeals and review process of a claim from initial determination to final disposition; (3) the procedures through which the department hires and trains new employees to implement the provisions of sections 39 through 41, inclusive, of chapter 151A, including a determination as to whether or not employment procedures have been followed pursuant to section 9K of chapter 23.

The study shall also include the recommendations of the commission relative to: (1) procedures through which the department may produce a quarterly report, to be posted on the department's website, of the number of active claims and the status of said claims; (2) procedures through which any current backlog of cases may be fairly and efficiently resolved and avoided in future department proceedings; (3) procedures through which oversight and quality control principles may be implemented to ensure the continuing prompt, equitable, and transparent application of current law by the commissioner and the board of review; (4) a complete review of current statute and regulations relative to the implementation of chapter 151A and any recommendations as to possible legislative reform and streamlined procedures, including, but not limited to, recommendations and procedures for the uniform and effective implementation of section 25 of chapter 151A.

The commission may request from all state agencies such information and assistance as the commission may require. The commission shall report the results of its investigation and study, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives, who shall forward the same to the joint committee on economic development and emerging technologies and the house and senate committees on ways and means on or before December 31, 2013."

The amendment was adopted.

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Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following four sections:

“SECTION 169. Subsection (c) of Section 8C of Chapter 23G of the General Laws, as appearing in the 2008 official edition, is hereby amended by inserting after the word ‘obligation’ in line 110, the following new words:— provided, however, that such fixed annual charges and fees and expenses charged by the Agency may be paid from the proceeds of the qualified bonds or of any temporary notes in anticipation of the sale of the bonds.

SECTION 170. Subsection (c) of Section 8C of Chapter 23G of the General Laws, as so appearing, is hereby amended by inserting after the word ‘Agency’ in line 127, the following new words:— provided, further, that annual revenues within a city or town’s Community Preservation Fund, acquired pursuant to chapter 44B shall be assurance satisfactory to the agency for purposes of this section unless the agency determines it cannot issue special obligation bonds of the agency secured by such city or town’s Community Preservation Fund revenues.

SECTION 171. Section 3 of Chapter 44A of the General Laws, as so appearing, is hereby amended by inserting after the word ‘bonds’ in line 4, the following new words:— provided, however, that the board shall by resolution authorize such city or town, with the approval of the community preservation committee, to issue such qualified bonds when the bonds are secured with revenues within the city or town’s Community Preservation Fund, acquired pursuant to chapter 44B.

SECTION 172. Section 11 of Chapter 44B of the General Laws, as so appearing, in the 2008 official edition, is hereby amended by inserting after the word ‘principal’ in line 18, the following new paragraph:—

A city or town or multiple municipalities acting as a public body that accepts sections 3 to 7, inclusive, may through the Massachusetts Development Finance Agency request financing through subsection (c) section 8 of chapter 23G.”.

The amendment was adopted.

Messrs. Lyons of Andover and Levy of Marlborough then moved to amend the bill inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 173. Chapter 211D of the General Laws is hereby amended by striking section 2A in its entirety, and inserting in place thereof the following:

Section 2A. (a) A person claiming indigency under section 2 shall execute a waiver authorizing the court’s chief probation officer, or the officer’s designee, to obtain the person’s wage, tax and asset information from the department of revenue, department of transitional assistance and the registry of motor vehicles that the court may find useful in verifying the person’s claim of indigency. The waiver shall authorize the chief probation officer, or the officer’s designee, to conduct any further reassessment required by this section.

(b) It shall be the responsibility of the chief probation officer assigned to each court to ensure that a person claiming to be indigent meets the definition of indigency under section 2. A person seeking the appointment of counsel shall be interviewed by the chief probation

officer or the officer's designee prior to the appointment of counsel. The person conducting the interview shall explain to the person seeking appointment of counsel: (1) the definition of indigency; (2) the process used to verify the person's information with other state agencies; and (3) the penalties for misrepresenting financial information in applying for the appointment of counsel, including possible civil penalties and criminal prosecution. The officer or the officer's designee conducting the interview shall prepare a written indigency intake report that shall record the results of the interview and state a recommendation on whether or not the person seeking appointment of counsel is indigent. The person seeking appointment of counsel and the officer or the officer's designee conducting the interview shall sign the indigency intake report. In signing the report, the person seeking appointment of counsel shall certify under the pains and penalties of perjury that the information contained therein is true and that the person has not concealed any information relevant to the person's financial status. The intake report shall clearly and conspicuously state in bold type directly above the signature area that penalties for misrepresentation include fines and criminal prosecution. All statements contained in the report shall be deemed material statements. The completed report shall be presented to a judge who may adopt or reject the recommendations in the report, either in whole or in part.

(c) Appointment of counsel by a court shall, at all times, be subject to verification of indigency by the chief probation officer assigned to each court. The chief probation officer or the officer's designee shall, within 7 business days of appointment of counsel, complete a final report of the financial circumstances of the person for whom counsel was appointed containing wage, tax and asset information. In preparing the final report, the chief probation officer or the officer's designee shall access, through electronic sharing of information pursuant to a memorandum of understanding, wage, tax and asset information in the possession of the department of revenue and the department of transitional assistance, and any other information relevant to the verification of indigency in the possession of the registry of motor vehicles. These departments shall provide this information to the chief probation officer or the officer's designee upon request, within 3 business days from the date of request. The chief probation officer shall sign the final report, certifying that the person for whom counsel was appointed either continues to meet or no longer meets the definition of indigency. Thereafter, the report shall be filed with the case papers and shall be presented to the judge presiding at the person's next court appearance; provided, however, that if a person for whom counsel was appointed is found to not meet the definition of indigency, a court appearance shall be scheduled as soon as feasible prior to the person's next court appearance if the next court appearance is more than 2 weeks from the date the final report is completed. If, upon receipt of the report, a judge finds that the person for whom counsel was appointed no longer meets the definition of indigency, the judge shall revoke the appointment of counsel and allow such person a reasonable continuance to obtain new counsel.

Not later than 6 months after the appointment of counsel, and every 6 months thereafter, the chief probation officer or the officer's designee

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shall conduct a further reassessment of the financial circumstances of the person for whom counsel was appointed to ensure that the person continues to meet the definition of indigency. The chief probation officer or the officer's designee shall prepare, sign and file a written report certifying that the person either continues to meet, or no longer meets, the definition of indigency.

Upon request of the department of children and families, the commissioner of probation shall provide to the department a copy of a person's indigency intake form, final assessment of financial circumstances, and any report certifying that the person either continues to meet or no longer meets the definition of indigency prepared by the chief probation officer in accordance with this section. The department shall only use these forms, assessments and reports for the purpose of completing eligibility determinations under Title IV-E of the Social Security Act. The commissioner of probation and the commissioner of children and families shall jointly determine the process by which the department of children and families shall obtain and maintain these forms, assessments and reports. The department of children and families shall not disseminate, and shall prohibit dissemination of, such information for any purpose other than those set forth in this paragraph.

(d) If a criminal defendant is charged with a second or further offense while continuing to be represented by court-appointed counsel for a previously charged offense, the court in its discretion shall determine whether any further determination of indigency, other than the bi-annual reassessments required by the defendant's representation for the first offense, need be undertaken. Upon completion of a reassessment, the chief probation officer shall prepare a written report of the officer's findings. The chief probation officer shall sign the report, certifying that the defendant either continues to meet or no longer meets the definition of indigency. The report shall be filed with the case papers and shall be presented to the judge presiding at the defendant's next court appearance. If, upon receipt of the report, a judge finds that the defendant no longer meets the definition of indigency, the judge shall revoke the appointment of counsel and allow the defendant a reasonable continuance to obtain new counsel.

(e) If the court finds that a person has materially misrepresented or omitted information concerning the person's property or assets for purposes of determining indigency and that the person does not meet the definition of indigency, the court shall immediately terminate any assignment or appointment of counsel made under this chapter and shall assess a fine of not less than \$1,000 against the person. A person assessed such fine who fails or neglects to pay the fine within 30 days shall be punished by imprisonment in the house of correction for not more than 90 days. The chief probation officer shall refer each matter arising under this subsection to the district attorney for the appropriate county.

(f) A person provided counsel under this chapter shall be assessed a counsel fee of \$150 to be paid within 90 days of the date of appointment. The court may only grant a waiver to a person who has made a written request to the chief probation officer for such waiver. The court shall hold a hearing to determine the person's inability to pay the counsel fee. The facts the judge uses to support findings shall include the person's inability to pay such \$150 within 180 days. If a waiver is

granted pursuant to this subsection the judge shall include written findings of fact and a written statement of the reasons for waiver. If, upon the biannual reassessment of the person's indigency, the court concludes that the person is able to pay the \$150 counsel fee of which the person obtained a waiver, the court shall revoke the waiver and reimpose the \$150 counsel fee. The fee shall be in addition to any reduced fee required pursuant to section 2.

(g) The court may authorize a person for whom counsel was appointed to perform community service in lieu of payment of the counsel fee. A person seeking to work off a counsel fee in community service shall perform 10 hours of community service, in a community service program administered by the administrative office of the trial court, for each \$100 owed in legal counsel fees, which may be prorated. Notwithstanding any general or special law to the contrary, a court proceeding shall not be terminated and the person shall not be discharged if the person owes any portion of the legal counsel fee imposed by this section. The clerk shall not release any bail posted on such court proceeding until the legal counsel fee is satisfied in accordance with this chapter. Community service shall be verified by the chief probation officer or the officer's designee through a report to the court which shall include the nature of the community service, the recipient organization of the community service, the number of hours and identification of the source of verification. The chief probation officer or the officer's designee shall file a copy of the verification report with the clerk of the court. Community service shall be completed within 60 days of the authorization, unless an extension under the provisions of subsection (h^{1/2}) is granted.

(h) The clerk of the court shall, within 60 days of appointment of counsel, report to the department of revenue, the department of transitional assistance and the registry of motor vehicles the amount of any legal counsel fee owed by the person for whom counsel was appointed under this chapter. The department of revenue shall intercept payment of such fee from tax refunds due to persons who owe all or a portion of such fee. The registry of motor vehicles shall not issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently purchased by such person until it receives notification from the clerk of the court that the fee has been collected or worked off in community service. If payment of the counsel fee has not been made within 90 days, and there has been no extension granted by the court, the registry of motor vehicles shall suspend a person's driver's license until it receives notification from the clerk of the court that the fee has been collected or worked off in community service.

(h^{1/2}) The court may only grant an extension of the time to pay or complete community service to a person who has made a written request to the chief probation officer for such extension. The court shall hold a hearing to determine the person's necessity for such extension. If an extension is granted pursuant to this subsection the judge shall include written findings of fact and a written statement of the reasons for the extension. Extensions may not exceed 30 days and no more than two extensions may be granted. If the judge fails to make a written finding, and the payment period has expired, the clerk of the court shall make the notifications required by subsection (h).

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(i) The office of the commissioner of probation shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to: (a) the number of individuals claiming indigency who are determined to be indigent; (b) the number of individuals claiming indigency who are determined not to be indigent; (c) the number of individuals found to have misrepresented wage, tax or asset information; (d) the number of individuals found to no longer qualify for appointment of counsel upon any re-assessment of indigency required by this section; (e) the total number of times an indigent misrepresentation fine was collected and the aggregate amount of indigent misrepresentation fines collected; (f) the total number of times indigent counsel fees were collected and waived and the aggregate amount of indigent counsel fees collected and waived; (g) the average indigent counsel fee that each court division collects; (h) the total number of times an indigent but able to contribute fee was collected and waived and the aggregate amount of indigent but able to contribute fees collected and waived; (i) the highest and lowest indigent but able to contribute fee collected in each court division; (j) the number of cases in which community service in lieu of indigent counsel fees was performed; and (k) other pertinent information to ascertain the effectiveness of indigency verification procedures. The information within such reports shall be delineated by court division, and delineated further by month.”.

Quorum.

Pending the question on adoption of the amendment, Mr. Hill of Ipswich asked for a count to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 238.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 156 members were recorded as being in attendance.

[See Yea and Nay No. 238 in Supplement.]

Therefore a quorum was present.

Suspension
of Rule 1A.

After debate on the question on adoption of the amendment, the Chair (Mr. Donato of Medford) placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Rule 1A
suspended,—
yea and nay
No. 239.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 123 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 239 in Supplement.]

Therefore Rule 1A was suspended.

Amendment
rejected,—
yea and nay
No. 240.

After further debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 36 members voted in the affirmative and 120 in the negative.

[See Yea and Nay No. 240 in Supplement.]

Therefore the amendment was rejected.

Mr. Winslow of Norfolk then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 173. Notwithstanding any special or general law to the contrary, any corporation engaged in the business of building or repairing boats may attach a single license plate registered and issued by the registry of motor vehicles to any trailer owned by such corporation for use to transport boats on public ways.”.

The amendment was adopted.

Mr. Mariano of Quincy being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 174. Chapter 180 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 3A the following section:—

Section 3B. A public charity, which received more than \$5,000,000 in gross support and revenue during the fiscal year covered by its report, shall establish an audit committee appointed by the board of directors. Members shall be appointed for 5 year staggered terms. The audit committee may include persons who are not members of the board of directors, but no member of the audit committee shall be a member of the staff of the public charity, including the president or chief executive officer and the treasurer or chief financial officer. If the public charity has a preexisting finance committee, it must be separate from the audit committee. Members of the finance committee may serve on the audit committee; provided, however, that the chairperson of the audit committee shall not be a member of the finance committee; and provided further, that members of the finance committee shall constitute less than one-half of the membership of the audit committee. Members of the audit committee shall not receive any compensation for their services on the board in excess of the compensation, if any, received by members of the board of directors and shall not have a material financial interest in any entity doing business with the corporation.

Subject to the supervision of the board of directors, the audit committee shall be responsible for making recommendations to the board of directors relative to the retention and termination of an independent auditor and may negotiate the independent auditor’s compensation on behalf of the board of directors. The audit committee shall: confer with the independent auditor to satisfy its members that the financial affairs of the public charity are in order; review and determine whether to accept the audit; ensure that any nonaudit services performed by the auditing firm conform to standards for auditor independence referred to in the first paragraph of this section; and approve the performance of nonaudit services by the auditing firm. If the public charity required to establish audit committee pursuant to this section is under the control of another corporation, the members of the audit committee may be members of the board of directors of the controlling corporation.

The audit committee shall establish procedures for the receipt, retention, and treatment of complaints received by an employee of the public charity regarding questionable accounting practices; internal accounting controls; or auditing matters.

Public charities required to submit a financial statement audited or reviewed by an independent certified public accountant shall be

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prohibited from retaining or using the same auditor or auditing firm for more than five consecutive years”.

The amendment was adopted.

Mr. Durant of Spencer and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 175. The office of the inspector general shall study and report on the feasibility of setting limits on the annual compensation of the executive staff of a nonprofit corporation or public charity that receives any public funds from the commonwealth equal to or greater than 30 per cent of such nonprofit corporation or public charity’s yearly budget. The office of the inspector general shall report its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the house of representatives and senate and the house and senate committees on ways and means not later than December 31, 2012.”

The amendment was adopted.

Consolidated
amendments
(Judiciary and
public safety).

After debate on the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill and other members of the House moved to amend the bill in section 2

In item 0321-1600 by striking out the figures “11,000,000” and inserting in place thereof the figures “12,000,000”;

In item 0321-2000 by striking out the figures “781,177” and inserting in place thereof the figures “806,177”;

In item 0321-2100 by striking out the figures “902,016” and inserting in place thereof the figures “981,810”;

In item 0330-0300, in line 12, by inserting after the word “commonwealth” the following: “provided further, that not less than \$20,000 shall be spent for the ‘Grandparents Raising Grandchildren Project’ to provide legal services to such grandparents in the areas of family law and public benefits and further requiring the chief justice of administration and management to make a report to the Legislature no later than January 2013 of all the above grandparents who requested legal services, were eligible for legal services and were denied because of insufficient resources, including the legal problem for which they sought assistance”, and in said item by striking out the figures “203,775,080” and inserting in place thereof the figures “209,775,080”;

In item 0332-0100, in lines 2 to 9, inclusive, by striking out the following: “provided, that notwithstanding the provisions of any general or special law to the contrary, the district court of Chelsea shall be the permanent location for the northern trial session to handle 6 person jury cases; provided further, that all personnel within said district court whose duties related to said northern trial session shall report to the clerk magistrate of said district court; and provided further, that the clerk magistrate shall utilize whatever space within the facility-at-large he deems necessary to comply with S.J.C. Rule 3:12, Canon 3(A)6”, and in said item by striking out the figures “55,552,336” and inserting in place thereof the figures “54,442,152”;

In item 0335-0001, by adding the following: “provided further that the district court of Chelsea shall be known as ‘the Chelsea division of the Boston municipal court department held at Chelsea; Chelsea and

Revere' ”, and in said item by striking out the figures “8,538,726” and inserting in place thereof the figures “9,648,910”;

In item 0337-0002 by inserting after the word “department” the following: “provided that in fiscal year 2013 the department shall not reduce the amount allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700 of section 2 of chapter 182 of the acts of 2008 by more than 5 per cent”, and in said item by striking out the figures “14,642,982” and inserting in place thereof the figures “15,039,221”;

In item 0340-0100 by striking out the figures “16,378,860” and inserting in place thereof the figures “16,442,761”;

In item 0340-0200 by striking out the figures “13,875,497” and inserting in place thereof the figures “14,023,058”;

In item 0340-0300 by striking out the figures “8,755,092” and inserting in place thereof the figures “8,615,961”;

In item 0340-0400 by striking out the figures “9,468,939” and inserting in place thereof the figures “9,105,742”;

In item 0340-0500 by striking out the figures “8,064,395” and inserting in place thereof the figures “8,198,688”;

In item 0340-0600 by striking out the figures “5,004,655” and inserting in place thereof the figures “5,104,790”;

In item 0340-0700 by striking out the figures “8,445,028” and inserting in place thereof the figures “8,399,821”;

In item 0340-0800 by striking out the figures “7,189,887” and inserting in place thereof the figures “7,286,097”;

In item 0340-0900 by striking out the figures “7,553,290” and inserting in place thereof the figures “7,580,803”;

In item 0340-1000 by striking out the figures “3,716,007” and inserting in place thereof the figures “3,705,545”;

In item 0340-1100 by striking out the figures “3,619,864” and inserting in place thereof the figures “3,608,246”;

In item 8000-0106, in line 5, by inserting after the words “municipal police departments” the following: “; provided further, that \$200,000 shall be used for the recording and processing for DNA samples pursuant to Chapter 22E of the General Laws”, and in said item by striking out the figures “15,074,646” and inserting in place thereof the figures “15,530,646”;

By striking out item 8000-0600 and inserting in place thereof the following item:

“8000-0600 For the office of the secretary, including the administration of the office of grants and research and the highway safety division, to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402; provided, that local police departments, sheriff departments, the department of state police, the department of correction and other state agencies, authorities and educational institutions with law enforcement functions as determined by the secretary that receive funds for the cost of replacement of bulletproof vests through the office of the secretary may expend without further appropriation such funds to purchase additional vests in the

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fiscal year in which they receive the reimbursements; provided further, that the office of the secretary shall, in consultation with the Massachusetts sheriffs' association, develop a report on recidivism rates for all pretrial, county sentenced and state sentenced inmates utilizing data provided by the department of correction and sheriff departments; provided further, that funds under this item may be expended by office of the secretary to facilitate the sheriffs, in consultation with the Massachusetts sheriffs' association, in determining a standardized definition of recidivism for Massachusetts sheriffs and analyzing relevant data to provide above required recidivism reporting; provided further, that the department shall submit these reports to the executive office for administration and finance, the house and senate committees on ways and means and the joint committee on public safety on a quarterly basis starting October 1, 2012, due no later than 30 days after the last day of each quarter; and provided further, that the executive office of public safety and security shall conduct a study in collaboration with the department of mental health on the potential benefits and viability of a Jail Diversion Community Safety Initiative that promotes programs focused on mental health treatment for persons facing arrest; provided further, that said initiative would focus on (a) support for regional, multidisciplinary approaches to promote access to mental health treatment rather than arrest or jail, (b) provide resources to communities to develop programs for prevention and intervention and technical assistance and information to support local planning and training efforts; provided further, the executive office of public safety and security shall submit said report to the house and senate committees on ways and means no later than January 15, 2013; provided further, that not less than \$50,000 shall be expended for public safety improvements in the town of Braintree; and provided further, that \$75,000 shall be expended for the commission created in section 189 of Chapter 68 of the Acts of 2011

\$2,212,797”;

In item 8100-0111, in line 32, by inserting after the date “December 15, 2012” the following: “; provided further, funds from this item shall not be used for police or law-enforcement overtime pay; provided further, that the Executive Office of Public Safety and Security must submit a report that details the distribution of grant funds to the executive office for administration and finance and the house and senate committees on ways and means within 60 days of the distribution of said funds”, and in said item by striking out the figures “2,000,000” and inserting in place thereof the figures “5,500,000”;

In item 8100-1001, in line 29, by inserting after the words “performed by state police officers” the following: “; provided further, that

not less than \$1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2013; provided further, that the Town of Randolph shall receive no less than \$50,000 for the payroll costs of the state police directed patrols; provided further, that the Town of Milton shall receive no less than \$50,000 for the payroll costs of the state police directed patrols”, and in said item by striking out the figures “243,119,033” and inserting in place thereof the figures “244,119,033”;

In item 8200-0200, in line 4, by inserting after the following “charged to item 8200-0222” the following: “; provided further, towns in Worcester County hosting municipal police training academies shall not receive less than the amount appropriated in section 2 of chapter 68 of the acts of 2011; provided further, in fiscal year 2013 no less than \$20,000 shall be provided for the manufacture and presentation of medals of recognition for Korean War Veterans”, and in said item by striking out the figures “2,500,378”, and inserting in place thereof the figures “2,520,378”;

In item 8311-1000, in line 22, by inserting after the word “operated” the words “; provided further, that the board of building regulations and standards shall expend funds from this item for the purpose of providing for the limited use of first-class mail to send Construction Supervisor License notifications to those who are unable to access notifications via e-mail”;

In item 8324-0000, in line 8, by inserting after the words “the split days option” the following: “; provided further, that the amount allocated for the regional dispatch center listed in item 8234-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2013; provided further, that \$1,296,000 shall be provided for the Commonwealth’s Hazardous Material Response Teams; provided further, that \$1,200,000 shall be allocated by the department for the Student Awareness Fire Education program; provided further, that \$75,000 shall be allocated by the department for Critical Incident Stress Management program; provided further, \$100,000 shall be allocated by the department for the Gardner On-Site Critical Incident Stress Management Residential Services”, and in said item by striking out the figures “13,218,884” and inserting in place thereof the figures “15,989,884”;

By striking out item 8900-0001 and inserting in place thereof the following item:

“8900-0001 For the operation of the commonwealth’s department of correction; provided, that all correctional facilities that were active in fiscal year 2012 shall remain open in fiscal year 2013; provided further, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security before January 1 of each year on the point score compiled by the department of correction’s objective classification system for all

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prisoners confined in each prison operated by the department; provided further, that the amount allocated to the municipality housing MCI-Cedar Junction shall be not less than the amount allocated in 8900-0001 of section 2 of chapter 61 of the acts of 2007 relative to MCI-Cedar Junction; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2013; provided further, that the department shall expend not less than \$1,000,000 for cities and towns hosting department of corrections facilities; provided further, the department of correction may expend \$412,000 for the operation of the Western Massachusetts Regional Women’s Correctional Center; provided further that the department of correction may expend \$412,000 to transfer male inmates with less than 2 years left on their sentence to the Hampden Sheriff’s Department; provided further, that the amount allocated for the Dismas House in Worcester in item 8900-0001 of section 2 of chapter 182 of the acts of 2008 shall be allocated to the program in fiscal year 2013; and provided further, that this item shall pay for the operation of the Massachusetts Alcohol and Substance Abuse Center

\$545,951,881”;

By inserting after item 8910-0188 the following item:

“8910-0288 For the Franklin Sheriff’s office, which may expend for the operation of the office an amount not to exceed \$350,000 from revenues received from federal reimbursements for transportation of federal detainees; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system

\$350,000”;

In line item 8910-1000 by striking out the figures “2,251,900” and inserting in place thereof the figures “2,388,300”;

By inserting after item 8910-1112 the following item:

“8910-1127 For the Hampshire Sheriff’s office, which may expend for the operation of the office an amount not to exceed \$250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system

\$250,000”;

In item 8910-8610 by striking out the figures “1,116,000” and inserting in place thereof the figures “2,500,000”;

In item 8950-0001 by striking out the figures “17,197,436” and inserting in place thereof the figures “17,497,436”;

By inserting before the effective date sections (which were subsequently renumbered) the following eleven sections:

“SECTION 176. Chapter 18A of the General Laws is hereby amended by adding the following section:—

Section 10. Whenever a caseworker or other employee of the department of youth services charged with the care, custody or supervision of a youthful or juvenile offender, any volunteer or employee of a contractor of the department of youth services charged with the care, custody or supervision or any duly authorized employee of the department of youth services engaged in the transportation of a youthful or juvenile offender for any lawful purpose the department of youth services of the commonwealth notifies their immediate supervisor that an assault on said employee has been committed by a juvenile or youthful offender in the care and custody of the department of youth services, the department of youth services shall forthwith notify the nearest state police unit and the district attorney for the county in which such assault occurred. Upon notification the department shall immediately provide said district attorney and state police official with any and all documentation pertaining to said assault including but not limited to video and audio recordings, written reports and any other evidence in the possession of the department of youth services.

SECTION 177. Chapter 37 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting the following section:—

Section 26. The sheriff shall issue to every full-time deputy employed by the sheriff an identification card bearing the deputy’s photograph and identifying information. The secretary of public safety and security may adopt regulations relative to the form, content and issuance of identification cards and to the carrying thereof by deputies.

SECTION 178. Section 38B of chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the words ‘house of correction’, in line 5, the following words:— trial court detention facility.

SECTION 179. Said section 38B of said chapter 127 of the General Laws, as so appearing, is hereby further amended by inserting after the words ‘house of correction’, in line 15, the following words:— trial court detention facility

SECTION 180. Section 1 of chapter 218 of the General Laws, as so appearing, is hereby amended by striking out, in line 231, the words ‘The district court of Chelsea, held at Chelsea; Chelsea, and Revere’ and inserting in place thereof the following words:— The Chelsea division of the Boston municipal court department, held at Chelsea; Chelsea and Revere.

SECTION 181. Section 108 of chapter 231 of the General Laws, as so appearing, is hereby amended by striking out, in lines 18 to 19, the words ‘district court of Chelsea’ and inserting in place thereof the following words:— the Chelsea division of the Boston municipal court department.

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SECTION 182. Section 3 of chapter 258B of the General Laws, as so appearing, is hereby amended by inserting after paragraph (v) the following paragraph:—

(w) Where the victim or witness is an employee of the department of youth services, no law enforcement agency, prosecutor, defense counsel, or parole, probation or corrections official may disclose or state the residential address, telephone number, or place of employment or school of the victim, a victim's family member, or a witness, except as otherwise ordered by the court. The court may enter such other orders or conditions to maintain limited disclosure of the information as it deems appropriate to protect the privacy and safety of victims, victims' family members and witnesses.

SECTION 183. Section 189 of chapter 68 of the acts of 2011 is hereby amended by striking out the words 'March 31, 2012' and inserting in place thereof the following words:— March 31, 2013.

SECTION 184. The Quincy district courthouse in the city of Quincy shall be designated and known as the Francis X. Bellotti Courthouse. The division of capital asset management and maintenance shall erect and maintain suitable markers bearing the designation in compliance with the standards of the division.

SECTION 185. Notwithstanding any general or special law to the contrary, the department of fire services is hereby authorized and directed to establish rules and regulations for the safety and flammability of schools buses in the commonwealth. Such rules and regulations shall, at a minimum, address the flammability of plastic components contained in the engine compartment and occupant seating.

In developing said rules and regulations relative to the flammability of plastic components contained in the engine compartment, the department shall ensure that such rules and regulations: (i) conform with the standards set forth in Underwriters Laboratories incorporated standard 94, standard for safety of flammability of plastic materials for parts in devices and appliances testing, so-called, as that standard may be modified from time to time, and (ii) include a requirement that the plastic components contained in an engine compartment must meet a V-0 classification in the standards.

In developing said rules and regulations relative to the flammability of occupant seating, the department shall ensure that any such rules and regulations conform to either of the following: (i) the standard adopted by ASTM international designated as ASTM E2574 - standard test method for fire testing of schools bus seat assemblies, using pass-or-fail criteria established in section X3, as the standard may be modified from time to time, or (ii) standards adopted by the national congress on school transportation in the school bus seat upholstery fire block test, as those standards may be modified from time to time, that are established in the national school transportation specifications and procedures. The department shall implement rules and regulations on or before January 1, 2014 to ensure no person, school board, municipality, or government entity shall contract for school bus transportation services or purchase a new school bus that is not in compliance with the provision of this section [A].

SECTION 186. Notwithstanding any general or special law to the contrary, the executive office of public safety and security shall provide an analysis detailing the costs of collecting DNA evidence during

felony arrests. The report shall be filed with the clerks of the senate and house of representatives no later than January 1, 2013.”;

Pending the question on adoption of the amendments, Mr. Winslow of Norfolk moved to amend them by inserting, in proposed section 185, by inserting after the words “the provision of this section” [at “A”] the following: “; provided however, the provisions of this section shall not apply any school bus purchased or leased prior to January 1, 2014”. The further amendment was rejected.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. O’Flaherty of Chelsea; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Amendments
(Judiciary and
public safety)
adopted,—
yea and nay
No. 241.

[See Yea and Nay No. 241 in Supplement.]

[Mr. Petrolati of Ludlow answered “Present” in response to his name.]

Therefore the amendments were adopted.

Mr. Webster of Pembroke and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 187. This act shall be known and may be cited as the ‘Massachusetts Security and Immigration Compliance Act.’

SECTION 188. The General Laws, as appearing in the 2006 Official Edition, are hereby amended by inserting after chapter 117A the following new chapter:—

**CHAPTER 117B.
Restrictions on Public Benefits.**

Section 1. Definitions.

As used in this chapter the following terms shall have the following meanings unless the context clearly requires otherwise:—

‘Emergency Medical Condition,’ the same meaning as provided in section 1396b (v) (3) of Title 42 of the United States Code.

‘Federal Public Benefits,’ the same meaning as provided in section 1611 of Title 8 of the United States Code.

‘State Public Benefits,’ the same meaning as provided in section 1621 of Title 8 of the United States Code”

Section 2. (a) Except as otherwise provided in subsection (3) of this section or where exempted by federal law, on and after January 1, 2013, each agency or political subdivision of the commonwealth shall verify the lawful presence in the United States of every natural person eighteen years of age or older who applies for state public benefits or for federal public benefits which are for the benefit of the applicant.

(b) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

(c) Verification of lawful presences in the United States shall not be required:

For any purpose for which lawful presence in the United States is not required by law, ordinance, or rule;

For obtaining health care items and services that are necessary for the treatment of an emergency medical condition of the person involved and are not related to an organ transplant procedure;

For short-term, non-cash, in-kind emergency disaster relief;

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For public health assistance for immunization with respect to diseases and for testing and treatment of symptoms of communicable diseases;

For programs, services, or assistance, such as soup kitchens, crisis counseling and intervention, and short-term shelter specified by Federal laws or regulations that:

Deliver in-kind services at the community level, including services through public or private nonprofit agencies;

Do not condition the provision of assistance, the amount of assistance provided, or the cost of assistance provided on the individual recipient's income or resources; and

Are necessary for the protection of life or safety or;

For parental care.

(d) An agency or a political subdivision shall verify the lawful presence in the United States of each applicant eighteen years of age or older for federal public benefits or state public benefits by requiring the applicant to:

(1) Produce:

A valid Massachusetts driver license or a Massachusetts identification card, issued pursuant to section 8 of chapter 90 of the General Laws, and 540 Code of Massachusetts Regulation (CMR) 2.06 (3) (b);

A United States military card or military dependent's identification card; or

A United States Coast Guard Merchant Mariner card; or

A Native American tribal document.

(2) If such documentation as required in subparagraph (1) of subsection (d) of this section cannot be lawfully produced, execute a notarized affidavit stating:

That he or she is a United States citizen or legal permanent resident; or That he or she is otherwise lawfully present in the United States pursuant to federal law.

(e) Notwithstanding the requirements of subparagraph (1) of subsection (d) of this section, the Commissioner of the Department of Revenue may issue emergency rules, to be effective until January 1, 2014, providing for additional forms of identification or a waiver process to ensure that an individual seeking benefits pursuant to this section proves lawful presence in the United States. This subsection and all emergency rules authorized hereunder shall cease to be effective as of January 1, 2014.

(f) A person who knowingly makes a false, fictitious, or fraudulent statement or representation in an affidavit executed pursuant to subsection (4) of this section shall pay a fine of not less than \$1,000 and not more than \$5,000, or shall be sentenced to serve not less than 6 months nor more than 1 year in the House of Corrections. Each time that a person receives a public benefit based upon such a statement or representation they make shall constitute a separate violation of this section.

(g) (1) For an applicant who has executed an affidavit stating that he or she is an alien lawfully present in the United States, verification of lawful presence for federal public benefits or state or local public benefits shall be made through the Federal Systematic Alien Verification for Entitlement program, referred to in this section as the 'SAVE program', operated by the United States Department of Homeland

Security. Until such verification of lawful presence is made, the affidavit may be presumed to be proof of lawful presence for purposes of this section.

(2) The secretary of each executive office of the commonwealth shall promulgate regulations to ensure that each agency or political subdivision has access to the SAVE program by way of the executive office under which it is organized. Each executive office shall be responsible for the verification through the SAVE program of all its sub agencies. Each executive office shall enter into a memorandum of understanding or any other requirement pursuant to the SAFE program in order to streamline the verification process. Each executive office shall keep account of all applications submitted through its subdivisions and transfer back to its subdivisions any costs on an annual basis.

(h) Agencies or political subdivisions of the commonwealth may adopt variations of the requirements of paragraph (b) of subsection (4) of this section to improve efficiency or reduce delay in the verification process or to provide for adjudication of unique individuals circumstances in which the verification procedures in the section would impose unusual hardship on a legal resident of the commonwealth; provided, that the variations shall be no less stringent than the requirements of this section, including provisions to timely execute notarized affidavits.

(i) It shall be unlawful for an agency or political subdivision of the commonwealth to provide a federal public benefit or state or local public benefit in violation of this section. Each agency or department that administers a program that provides state or local public benefits shall provide an annual report with respect to its compliance with this section to the auditor and to the House and Senate chairs of the joint committee on state administration and regulatory oversight.

(j) Errors and significant delays by the SAVE program shall be reported to the United States Department of Homeland Security which monitors the SAVE program and its verification application errors and significant delays and report yearly on such errors and delays, to ensure that the application of the SAVE program is not wrongfully denying benefits to legal residents of the State.

SECTION 189. If any provision of this act or the application thereof to any person or circumstance is held by any court to be unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of the section are declared to be severable.”

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by striking out the text and inserting in place thereof the following eleven sections:

“SECTION 187. The first paragraph of section 2 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentences:—

If the owner is a corporation or business entity, the application shall contain the name of the corporation or business entity, the full address, including the street, city or town, state and zip code, a federal tax identification number or social security number if the business entity is a

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sole proprietorship and does not have a federal tax identification number. If the applicant is a natural person, the application shall contain the name of the applicant, full residential address, date of birth, license number or identification card number issued by the registrar and such other particulars as the registrar may require. Except as otherwise provided in this chapter or in regulations adopted by the registrar, no registration shall be issued for a motor vehicle or trailer owned or leased by a natural person unless one of its registering owners or lessees holds a valid license, social security card issued by Social Security Administration, a federal tax identification number or other proof of legal presence. The registrar shall provide by regulation for exemptions for out-of-state students, military personnel, senior citizens and disabled persons.

SECTION 188. Section 12 of said chapter 90, as so appearing, is hereby amended by striking subsections (a) and (b) and inserting in place thereof the following subsections:—

(a) Whoever knowingly employs for hire as a motor vehicle operator any person not licensed in accordance with this chapter shall be punished by a fine of not more than \$1,000 for a first offense, or, for a second or subsequent offense by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment in the house of correction for not more than 1 year, or both such fine and imprisonment.

(b) Whoever knowingly permits a motor vehicle owned by him or under his control to be operated by a person who is unlicensed or whose license has been suspended or revoked shall be punished by a fine of not more than \$1,000 or imprisonment in a house of correction for not more than 1 year for a first offense, or, for a second or subsequent offense by a fine of not less than \$1,000 nor more than \$2,000 or imprisonment in the house of correction for not more than 2½ years, or both such fine and imprisonment.

SECTION 189. Section 20 of said chapter 90, as so appearing, is hereby amended by striking out, in line 10, the words ‘of not less than \$100 nor more than \$1,000’ and inserting in place thereof the following:— by a fine of not more than \$500 for a first offense, by a fine of not less than \$500 nor more than \$1,000, for a second offense, by a fine of not less than \$1,000 nor more than \$2,000, for any subsequent offense.

SECTION 190. Section 24B of chapter 90 of the general laws is hereby amended by inserting, after the first paragraph, the following paragraph:—

Whoever falsely makes forges or counterfeits a learner’s permit, a license to operate motor vehicles or an identification card issued under section 8E with the intent to distribute such learner’s permit, license to operate motor vehicles or identification card or assists another to do so shall be punished as follows: (i) for the above acts involving 1 to 5 documents, by a fine of not more than \$2,500 or by imprisonment in a house of correction for not more than 2½ years, or both such fine and imprisonment; (ii) for acts involving 5 to 10 documents, by a fine of not more than \$5,000 or by imprisonment in state prison for not more than 5 years, or both such fine and imprisonment; (iii) for acts involving more than 10 documents, by a fine of not more than \$25,000 or by imprisonment in state prison for not more than 10 years or both such fine and imprisonment.

SECTION 191. The registrar of motor vehicles shall investigate and report on any compliance issues with the implementation of the federal REAL ID Act of 2005 occurring on January 15, 2013, as it pertains to the issuance of licenses to operate motor vehicles. The registrar shall file the report, accompanied by any legislative recommendations, with the clerks of the house of representatives and senate and the chairs of the joint committee on public safety on or before October 1, 2012.

SECTION 192. (a) Notwithstanding any general or special law to the contrary, the MassHealth program within the executive office of health and human services shall: (i) continue to implement the state option provided by section 1902(ee) of the Social Security Act, 42 U.S.C. section 1396a(ee), to verify the citizenship or nationality of individuals declaring to be United States citizens or nationals; and (ii) continue to use the federal Systematic Alien Verification for Entitlements, or SAVE system, to verify the immigration status of applicants presenting an alien admission number or alien file number.

Consistent with federal and state law and notwithstanding (a)(ii) of this section, the SAVE system may be incorporated into a system for the executive office of health and human services and all agencies organized therein, to determine common eligibility standards for applicants. Nothing in this section shall be construed to prevent the development of a system of common eligibility standards that includes additional agencies outside the executive office of health and human services, provided that such system shall include the use of the SAVE system.

(b) Annually, on or before February 1, or as further developments warrant, the executive office of health and human services or the executive office of administration and finance shall report to the senate and house committees on ways and means the status of efforts to implement a system to determine common eligibility standards for applicants.

(c) Annually, on or before February 1, the executive office of health and human services shall report to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered from recipients, providers or other vendors who fraudulently received benefits or payments under chapter 118E of the General Laws.

SECTION 193. Notwithstanding any general or special law to the contrary, to prevent fraud and misuse of public assistance benefits, the department of transitional assistance shall continue to:

(1) consistent with federal and state law, require all applicants for benefits to declare in writing under penalty of perjury whether the individual is a citizen of the United States and if not whether the individual meets applicable immigration status requirements; provided, however, that noncitizens shall be required to provide documentation from the United States Department of Homeland Security or such other documents as the department determines constitutes reasonable evidence of required immigration status; provided further, that consistent with federal and state law, the state shall provide a reasonable opportunity to submit evidence of required immigration status and will not delay, deny, reduce or terminate benefits on the basis of immigration status until such verification is provided; provided further, that the department of transitional assistance shall use the federal Systematic Alien Verification for Entitlements or SAVE system to verify the immigra-

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tion status of any noncitizen whose documentation includes an alien registration number to determine whether the individual meets noncitizen requirements for benefit eligibility purposes and shall verify the social security number of each individual seeking benefits, citizens as well as noncitizens, in accordance with procedures established by the Social Security Administration;

(2) implement data matching with the department of revenue, the department of children and families, the division of unemployment assistance and any other relevant state agencies to verify financial and categorical eligibility criteria;

(3) cooperate fully with the food and nutrition service of the United States Department of Agriculture in pursuing and prosecuting vendor fraud;

(4) refer all credible reports of fraud received from its fraud hotline or any other source to the bureau of special investigations for investigation in accordance with protocols for prioritizing cases;

(5) pursue, to the fullest extent possible, consistent with protocols for prioritizing cases, administrative disqualification penalties for instances of Supplemental Nutrition Assistance Program and cash assistance fraud; and

(6) report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department from those who received benefits fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 194. Consistent with federal and state law, and to prevent fraud and misuse of unemployment benefits, the division of unemployment assistance shall continue to:

(1) maintain interagency agreements with the United States Social Security Administration and the United States Citizenship and Immigration Service within the Department of Homeland Security to utilize a primary verification system to determine citizenship or work authorization at the time of new claim filings through the SAVE system;

(2) require noncitizen claimants to provide their alien registration number; provided, however, that the division of unemployment assistance shall verify claimant information and alien registration number with the United States Citizenship and Immigration Service within the Department of Homeland Security;

(3) require noncitizen claimants who cannot provide an alien registration number during the new claim process to send copies of any official documents they have that authorize them to work in the United States to the division of unemployment assistance;

(4) institute a secondary verification process for claims for which a non-citizen does not have an alien registration number or if primary verification does not establish satisfactory status, using division staff to review the documents and transmit pertinent information from the documents for verification with the United States Citizenship and Immigration Service within the Department of Homeland Security;

(5) flag expiration dates of work authorizations or in the unemployment insurance system if such dates exist; and

(6) report annually to the senate and house committees on ways and means and the executive office for administration and finance the

amount of money recovered by the division of unemployment assistance from those who received benefits fraudulently as well as the numbers of recipients who were issued disqualifications.

SECTION 195. (a) Notwithstanding any general or special law to the contrary, an applicant for the MassGrant program administered by the department of higher education office of grant assistance shall complete the Free Application for Federal Student Aid or other federal student loan program that verifies both financial and citizenship eligibility.

(b) The secretary of education shall continue to report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department of education from those who received assistance fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 196. (a)(1) Notwithstanding any general or special law to the contrary, the department of housing and economic development shall continue to direct local housing authorities to:

(i) require an applicant to provide the local housing authority with access to reliable and reasonably obtainable documentation verifying the accuracy of information provided by an applicant on an application form or otherwise necessary at the time of determining final eligibility and qualification; provided, however, that income of applicants shall be verified by the procedure set forth in paragraph (2); provided further, that if the local housing authority has verified any information when making a preliminary determination of eligibility for the applicant, the local housing authority shall reverify that information on its final determination of eligibility and qualification; and provided further, that nonreceipt of requested documentation, without good cause established by the applicant, shall be cause for determining that the applicant is unqualified;

(ii) require an applicant to provide the names and current addresses of all landlords or housing providers for the applicant and the applicant's household members during the 5 years immediately preceding the application to the date of the final determination; provided, however, that if after request the local housing authority has failed to receive a reference from a landlord or a housing provider, it shall notify the applicant of nonreceipt and the local housing authority shall request that the applicant use his best efforts to cause his landlord or housing provider to submit the reference to the local housing authority; provided further, that in the event that the applicant uses his best efforts but is unsuccessful, the applicant shall cooperate with the local housing authority in securing information from other sources relative to the tenancy; and provided further, that nonreceipt of a reference from a landlord or housing provider shall be cause for determining an applicant unqualified unless the applicant can show that he has used best efforts to secure the reference and that he has complied with reasonable requests for cooperation in securing other information;

(iii) obtain criminal offender record information for each applicant and, if necessary, check public records, credit reports, other sources of public information and other reliable sources; provided, however, that the local housing authority may conduct a home visit, which shall be scheduled reasonably in advance; and provided further, that observa-

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tions by the person making such a visit shall be promptly reduced to writing and placed in the applicant's file; and

(iv) obtain information regarding eligibility or qualification from interviews with the applicant and with others from telephone conversations, letters or other documents and from other oral or written materials; provided, however, that all such information received shall be recorded in the applicant's file, including the date of its receipt, the identity of the source and the person receiving the information.

(2) The local housing authority shall assess financial eligibility by reviewing the applicant's net household income. In reviewing the applicant's financial status, the local housing authority shall assess net household income pursuant to regulations and guidelines promulgated by the department of housing and community development.

(b) The secretary of housing and economic development shall report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department from those who received assistance fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 197. (a) Notwithstanding any general or special law to the contrary, the house and senate committees on post audit and oversight shall conduct a joint hearing during each session of the General Court to consider the operation of, and compliance with, citizenship verification measures for the receipt of public assistance benefits. The committees may invite the secretaries of health and human services, administration and finance, education, labor and workforce development and housing and economic development, and any other relevant agency representative, to testify as to the agency's activity, including, but not limited to, (1) compliance with the federal Systematic Alien Verification for Entitlements, or SAVE system; (2) development of a system of common eligibility standards; (3) prevention of fraud and misuse of public benefits, including the amount of money recovered from those who received benefits fraudulently and the number of recipients who were issued disqualifications; (5) the status of interagency agreements; (6) and areas of difficulty in enforcing citizenship verification measures, including the net cost of such measures. The committee shall inform the membership of the General Court of the findings of the hearing by filing a report with the clerks of the house and senate.

(b) Notwithstanding any general or special law to the contrary, the house and senate committees on post audit and oversight shall, on or before July 31, 2012, conduct a joint hearing to consider the Commonwealth's participation in the Secure Communities program, a program established by the U.S. Department of Homeland Security Immigration and Customs Enforcement to share data between the Federal Bureau of Investigations and Immigration and Customs Enforcement, which program the federal government plans to deploy nationwide by 2013 and which it stated, in August 2011, requires no memorandum of agreement with any state or local jurisdiction in order to implement. The committees shall invite testimony from the attorney general; the secretaries of administration and finance, public safety and security, and health and human services; the chief information officer of the Com-

monwealth; the director of the office for refugees and immigrants; the director of the division of local mandates within the office of the auditor; representatives of the Massachusetts Sheriff's Association; Massachusetts District Attorney's Association; the Massachusetts Office for Victim Assistance and other individuals or organizations with expertise in the administration of federal policies related to immigration, public safety and civil rights. The committees shall evaluate the steps Massachusetts and local governments would need to take, if any, to prepare for the federal government's planned universal deployment of Secure Communities in 2013 and the potential impact on state and local governments of participation in the Secure Communities program, in the areas of (1) costs associated with participation in the program, including but not limited to, potential costs related to personnel, equipment, technology upgrades, training, detention, and community education, (2) administration and functioning of the law enforcement and criminal justice systems, (3) outreach and communications strategies between law enforcement and local communities, impact on community policing initiatives and immigrants, willingness to report domestic violence and other crimes, and (4) access to public services for impacted populations, including but not limited to, children, including children placed in foster care or otherwise separated from parents following deportation of one or more their parents under the program, victims of domestic and sexual violence, seniors and persons with disabilities. The committees shall additionally request from the Department of Homeland Security (1) a report on the status of implementation of the recommendations by the Homeland Security Advisory Council Task Force on Secure Communities, contained in its report of September 2011, 'Task Force on Secure Communities: Findings and Recommendations,' including an explanation for the failure to implement any recommendations and (2) data on (i) the number of persons nationwide and in Massachusetts since the Secure Communities program's inception who were deported under the Secure Communities program following that person's reporting of a domestic violence incident or other crime, including those who may on that basis have been eligible to apply for documented status, (ii) the number of U.S. citizen and other children, nationwide and in Massachusetts since the Secure Communities program's inception who were separated from a parent deported under the Secure Communities program, and (iii) the number of the aforementioned child population placed in foster care as a result of separation from one or both parents. The committees shall inform the membership of the General Court of the findings of the hearing by filing a report with the clerks of the house and senate no later than August 31, 2012.

(c) Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall prepare a report no later than September 1, 2012 on the total amount of MassHealth spending in fiscal year 2012 on individual, family, and other benefits for citizens of the United States who are residents and non-residents of Massachusetts: qualified immigrants; aliens with special status; and persons who have provided no documentation to fit into other categories. In calculating the amounts described herein, the executive office of administration and finance shall use generally accepted

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accounting principles encompassing all state spending. Said report shall be filed with the chairs and ranking minority members of the house and senate committee on ways and means and the clerks of the house of representatives and senate.”

After remarks the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Webster of Pembroke and other members of the House then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 198. Chapter 149 of the General Laws is hereby amended by striking Section 19C in its entirety and inserting in its place the following:—

Section 19C. It shall be unlawful for any employer knowingly to employ any alien in the commonwealth, who is a student or visitor or, who has not been admitted to the United States for permanent residence, except those who are admitted under a work permit, or unless the employment of such alien is authorized by the attorney general of the United States. An employer shall not be deemed to have violated this section if he has made a bona fide inquiry whether a person hereafter employed or referred by him is a citizen or an alien, and if an alien, whether he is lawfully admitted to the United States for permanent residence, or admitted under a work permit, or is authorized by the attorney general of the United States to accept employment.

An inquiry into the employment status and identity of an alien shall be deemed bona fide if an employer verifies the work eligibility status of each newly hired employee through the federal electronic employment authorization verification program known as E-Verify or any successor program created pursuant to 8 U.S.C. 1324a.

a) Each employer in Massachusetts shall apply to participate in the program for the purpose of verifying the work eligibility status of each of the employer’s newly hired employees by the following dates:

(1) An employer with two hundred (200) or more employees shall apply to participate in the program no later than January 1, 2013;

(2) An employer with at least fifty (50) employees but fewer than two hundred (200) employees shall apply to participate in the program no later than July 1, 2013; and

(3) An employer with fewer than fifty (50) employees shall apply to participate in the program no later than January 1, 2014.

b) Any employer who violates any provision of this section shall be punished by a fine of not more than five thousand nor less than five thousand dollars. An employer convicted of a second or subsequent offence shall be punished by imprisonment in the House of Corrections for not less than six months.

c) ‘Employer’ as used in this section shall include any person acting in the interest of an employer directly or indirectly.”

The amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 198. (a) Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall prepare a report on the following: 1) the total amount of the state bud-

get that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States who are residents of the Commonwealth of Massachusetts; 2) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of persons holding Green Cards who are residents of the Commonwealth of Massachusetts; 3) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States whose residence in the Commonwealth of Massachusetts cannot be established; and 4) the total amount of the state budget that is being used to fund individual, family, and other benefits and expenditures on behalf of all other persons.

(b) Said report shall also itemize expenditures used to provide services to residents of the Commonwealth, non-residents, and those whose residence cannot be identified with respect to: legal services, including but not limited to criminal defense costs; translations and translator services; the detention of prisoners; and the Health Safety Net program, including cost to government, cost shifting to other payers or insurers, and the cost to hospitals, clinics, and other health-care providers.

(c) In calculating the amounts described in subsections (a) and (b), the executive office of administration and finance shall utilize generally accepted accounting principles encompassing all state spending.

(d) Said report shall be filed with to the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the house of representatives and senate no later than October 15, 2012.”

The amendment was rejected.

The same member then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 198. (a) Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall prepare a report on detailing the total amount of the Health Safety Net program that is being used to fund benefits on behalf of each of the following categories: 1) Citizens of the United States; 2) Qualified Immigrants; 3) Aliens with Special Status; and 4) Persons who have provided no documentation to fit in the other categories.

(b) Said report shall also separately identify all other costs with respect to the Health Safety Net program, including but not limited to: cost to taxpayers; cost shifting to other payers, agencies or insurers; and cost to hospitals, clinics, and other health-care providers.

(c) In calculating the amounts described in subsections (a) and (b), the executive office of administration and finance shall utilize generally accepted accounting principles encompassing all state spending.

(d) Said report shall be filed with to the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the House of Representatives and senate no later than October 15, 2012.”

The amendment was rejected.

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Mr. Lyons then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 198. The General Laws are hereby amended by inserting after chapter 117A the following new chapter:—

**CHAPTER 117B.
Residency Requirements for Public Benefits.**

Section 1. Self declaration of residency shall not be accepted as a valid form of residency verification for people seeking taxpayer-funded individual benefits from the Commonwealth of Massachusetts.”

The amendment was rejected.

The same member then moved to amend the bill by inserting before the effective date sections (which were subsequently renumbered) the following section:

“SECTION 198. (a) Definitions. As used in this section, the following terms shall have the following meanings unless the context clearly requires otherwise:—

‘Federal Public Benefits,’ the same meaning as provided in section 1611 of Title 8 of the United States Code.

‘State Public Benefits,’ the same meaning as provided in section 1621 of Title 8 of the United States Code.

(b) Except as where otherwise provided for by federal, general, or special law, all state public benefits and all federal public benefits shall only be received by individuals who are citizens of the commonwealth and for persons who are residents of the commonwealth and have proper verifiable documents or identification from their country of origin.”

The amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by striking out section 35 and inserting in place thereof the following two sections:

“SECTION 35. Chapter 18 of the General laws, as most recently amended by chapter 84 of the acts of 2011, is hereby amended by striking out sections 5I and 5J and inserting in place thereof the following sections:—

Section 5I. (a) As used in sections 5I through 5J, inclusive, the following terms shall, unless the context clearly requires otherwise, have the following meanings:—

‘Access device’, a card, code, or other means of access including an automated teller machine or point of sale terminal that can be used, alone or in conjunction with another access device, to obtain payments, allotments, benefits, money, goods or other things of value, or that can be used to initiate a transfer of funds under the federal Food Stamp Act, 7 U.S.C. § 2011 et seq., or regulations issued pursuant to the federal Food Stamp Act.

‘Cosmetics’, includes (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for beautifying, promoting attractiveness, or altering appearance, and (2) articles intended for use as a component of any such articles; provided, however, that cosmetics shall not include soap, shampoo, deodorant, toothpaste, or other personal hygiene products.

‘Department’, the department of transitional assistance.

‘Direct cash assistance’, any manner of cash assistance provided by the department of transitional assistance, including, but not limited to, temporary aid to families with dependent children, wherein the assistance is provided directly to the recipient, rather than a vendor.

‘Drinking establishment’, any tavern or club licensed to sell alcoholic beverages, wines, or malt beverages pursuant to chapter 138 that derives more than 50 per cent of the establishment’s profit from the sales of alcoholic beverages, wines, or malt beverages.

‘Electronic benefit transfer card’, a card that provides benefits through an electronic benefit transfer.

‘Electronic benefit transfer’, a system for the food stamp program as an alternative to issuing food stamp coupons. An electronic benefit transfer system is a computer-based system in which the benefit authorization is received through a point of sale terminal. Eligible households utilize plastic cards in lieu of food stamp coupons to purchase food items at authorized food retailers. This type of benefit may also be used to issue other types of public welfare benefits.

‘Eligible recipient’, a person who meets the nonfinancial, financial and categorical requirements that the department of transitional assistance utilizes to determine, upon application or review, whether a person is entitled to direct cash assistance, barring any evidence of an outstanding default or arrest warrant issued by any court of the commonwealth.

‘Liquor Store’, any establishment licensed to sell alcoholic beverages, wines, and malt beverages not to be drunk on the premises pursuant to section 15 of chapter 138, and excluding any food store as defined pursuant to section 184B of chapter 94.

‘Performance’, any play, dance, concert, exhibit, including movies, simulcasts, any such entertainment at an establishment which displays live nudity for patrons, as defined pursuant to section 9A of chapter 40A, or any such entertainment performed before one or more persons, excluding performances offered by, at or through any pre-school, school, college, university, public library, church or nonprofit organization.

‘Performance venue’, any place at which a performance is conducted, including, but not limited to a: sports arena, stadium, ball park, race track, movie theatre, or establishment which display live nudity for patrons, as defined pursuant to section 9A of chapter 40A.

‘Person’, a natural person, corporation, association, partnership or other legal entity.

‘Travel services’, furnishing or facilitating interstate or foreign travel, including transportation and vacation services.

(b) No person shall knowingly use or accept direct cash assistance funds held on electronic benefit transfer cards or access devices for the purchase or sale of the following services or products, without limitation: (1) alcoholic beverages as defined pursuant to section 1 of chapter 138; (2) lottery tickets; (3) tobacco products as defined pursuant to section 1 of chapter 64C; (4) any visual material intended to create or simulate sexual conduct or sexual excitement as defined pursuant to section 31 of chapter 272; (5) firearms or ammunition as defined pursuant to section 121 of chapter 140; (6) admission to any perfor-

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mances; (7) cosmetics; (8) professional services, excluding medical care, provided by any member of the bar or any person licensed pursuant to chapter 112; (9) travel services; (10) services, excluding childcare services, or memberships provided by health clubs as defined pursuant to section 78 of chapter 93; (11) tattoos for the marking of the human body or other body art or piercings; (12) jewelry; (13) for the rental of goods or real property; (14) for the payment to the commonwealth or any political subdivision thereof of any tax, fee or penalty, including restitution or bail or bail bonds ordered by a court; or (15) gambling as defined pursuant to section 2 of chapter 23K.

(c) Any business that offers for sale the services or products defined by subsection (b), and excluding businesses defined by subsection (e), shall display in an area conspicuous patrons a sign containing the following statement: "Massachusetts law (M.G.L. c.18, §51) prohibits the use of EBT or direct cash assistance for the purchase of the following products and services: alcoholic beverages; tobacco products; lottery tickets; sexually explicit material; firearms or ammunition; admission to performances; cosmetics; professional services; travel services; health club memberships or services; tattoos, body art, or piercings; jewelry; rental goods or property; payment of any tax, fee, or penalty including bail or bail bonds; and gambling. Violators will be punished to the full extent of the law. If you witness EBT benefit fraud, please report it, toll-free, by calling: 1-800-FRAUD-99 (1-800-372-8399).

The department shall maintain a downloadable template of the sign on the department's website. Business associations may also maintain a downloadable template of the sign on their websites.

(d) No eligible recipient shall use electronic benefit transfer cards at access devices housed within the following types of businesses: (1) liquor stores; (2) gaming establishments licensed pursuant to chapter 23K; (3) performance venues; (4) adult bookstores or adult paraphernalia stores, as defined pursuant to section 9A of chapter 40A; (5) firearms dealers licensed pursuant to section 122 of chapter 140 and ammunition dealers licensed pursuant to section 122B of chapter 140; (6) tattoo parlors; (7) beauty shops, barber shops, manicure shops or aesthetic shops registered pursuant to chapter 112; (8) health clubs as defined pursuant to section 78 of chapter 93; (9) rent-to-own furniture, electronics, or appliance stores; (10) jewelry stores; and (11) drinking establishments; (12) cruise ships.

(e) The following types of businesses shall not house access devices that accept electronic benefit transfer cards: (1) liquor stores; (2) gaming establishments licensed pursuant to chapter 23K; (3) performance venues; (4) adult bookstores or adult paraphernalia stores, as defined pursuant to section 9A of chapter 40A; (5) firearms dealers licensed pursuant to section 122 of chapter 140 and ammunition dealers licensed pursuant to section 122B of chapter 140; (6) tattoo parlors; (7) beauty shops, barber shops, manicure shops or aesthetic shops registered pursuant to chapter 112; (8) health clubs as defined pursuant to section 78 of chapter 93; (9) rent-to-own furniture, electronics, or appliance stores; (10) jewelry stores; and (11) drinking establishments; (12) cruise ships.

Upon request, any state agency that, in the regular course of business, regulates retail stores shall cooperate with law enforcement

regarding potential violations of this section. At minimum, the department shall identify all violators on a monthly basis and direct the appropriate vendor to technologically prohibit the respective access device from accepting electronic benefit transfer cards. Any business or store owner who knowingly houses an access device that accepts electronic benefit transfer cards in violation of this section shall be punished by a fine of not less than \$1,000 for the first offense; not less than \$3,000 for the second offense and not less than \$10,000 for the third or subsequent offense.

(f) Any business defined by subsection (e), shall display in an area conspicuous to patrons a sign containing the following statement: 'Massachusetts law (M.G.L. c.18, §5J) prohibits this store from accepting EBT cards or direct cash assistance and Massachusetts law (M.G.L. c.18, §5I) prohibits customers from purchasing products in this store with EBT cards or direct cash assistance.

Violators will be punished to the full extent of the law. If you witness EBT benefit fraud, please report it, toll-free, by calling: 1-800-FRAUD-99 (1-800-372-8399).'

The department shall maintain a downloadable template of the sign on the department's website. Business associations may also maintain a downloadable template of the sign on their websites.

(g) Any eligible recipient of direct cash assistance who knowingly makes a purchase in violation of this section shall reimburse the department for such purchase and shall be disqualified from the direct cash assistance program for a period of 3 months for the first offense and permanently, for the second offense.

(h) Any person, excluding any eligible recipient, who knowingly violates subsection (b), subsection (c), or subsection (f) of this section shall be punished by a fine of not more than \$500 for the first offense, a fine of not less than \$500 nor more than \$1,000 for the second offense and a fine of not less than \$10,000 for the third or subsequent offense.

Section 5J. (a) No person shall knowingly transfer, acquire, alter or possess an electronic benefit transfer card or access device in any manner not authorized by the federal Food Stamp Act, the federal Social Security Act, 42 U.S.C. 608(a) et seq., or this chapter.

(b) No person shall present for payment or redemption an electronic benefit transfer card or access device that has been illegally received, transferred, or altered.

(c) Any person who is found to have knowingly violated subsection (a) or subsection (b), if such benefits are of an aggregate value of less than \$100, shall, upon the first conviction thereof, be fined not more than \$1,000 or be imprisoned in a jail or house of correction or the state prison for not more than 1 year, or both, and upon the second and any subsequent conviction thereof, shall be fined not more than \$1,000 or imprisoned in a jail or house of correction or the state prison for not more than 2½ years, or both.

Any person who is found to have knowingly violated subsection (a) or subsection (b), if such benefit has an aggregate value of more than \$100 but less than \$5,000, shall, upon the first conviction thereof, be fined not more than \$10,000 or be imprisoned in a jail or house of correction or in the state prison for not more than 3 years, or both, and,

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upon the second and any subsequent conviction thereof, shall be fined not more than \$10,000 or be imprisoned in a jail or house of correction or in the state prison for not more than 5 years or both.

Any person who is found to have knowingly violated subsection (a) or subsection (b), if such benefits are of an aggregate value of \$5,000 or more shall be fined not more than \$250,000 or be imprisoned in a jail or house of correction or the state prison for not more than 20 years, or both.

(d) Any person who is found to have knowingly violated subsection (a) or subsection (b) shall forfeit to the commonwealth all property, real and personal, used in connection with the violation or any proceeds traceable to the violation.

The proceeds from any sale of forfeited property and any monies forfeited under this subsection shall be used by the commonwealth to reimburse the bureau of special investigations in the office of the state auditor, established under section 16 of chapter 11, or any other state or local agency for any cost incurred in the investigative effort resulting in the forfeiture.

No interest in property shall be forfeited under this subsection as the result of any act or omission established by the owner of the interest to have been committed or omitted without the knowledge or consent of the owner.

(e) The alcoholic beverages control commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (a) or subsection (b) of this section or subsection (b) or subsection (e) of section 5L.

(f) The state lottery commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (a) or subsection (b) of this section or subsection (b) or subsection (e) of section 5L.

SECTION 35A. Chapter 18 of the General Laws, as so appearing, is hereby amended by inserting after section 5K the following new sections:—

Section 5L. Notwithstanding any general or special law to the contrary, the department shall charge all eligible recipients of direct cash assistance a fee of \$10 for the first requested replacement of an electronic benefit transfer card and a fee of \$25 for any additional replacement of an electronic benefit transfer card. All fees for replacement cards shall be deducted directly from the recipient's direct cash assistance.

Section 5M. Notwithstanding any general or special law to the contrary, direct cash assistance issued by the Commonwealth shall not be used for purchases in states other than Massachusetts and states contiguous to Massachusetts. For the purposes of this section, contiguous states shall mean: New Hampshire, Connecticut, Rhode Island, New York, and Vermont. The department shall identify all violators, at minimum, on a monthly basis. Any eligible recipient who violates this section shall be disqualified from the program for not less than 3 months. The department shall notify the recipient that they must report in person to their local department of transitional assistance office to have their benefits reinstated. Any eligible recipient who violates this section for a second time shall be permanently disqualified from the direct cash assistance program.

Section 5N. Notwithstanding any general or special law to the contrary, the department shall implement a vendor payment system for the non-cash payment of rent and electric and gas utility bills for all eligible recipients of direct cash assistance. The department shall have 50 per cent of all direct cash assistance recipients enrolled in the vendor payment system by July 31, 2012, and shall have the remaining 50 per cent of recipients enrolled in the vendor payment system by November 30, 2012. Beginning on July 31, 2012, all recipients of direct cash assistance shall be enrolled in the vendor payment system upon admittance into the direct cash assistance program.

Section 5O. Notwithstanding any general or special law to the contrary, by November 30, 2012, all eligible recipients of direct cash assistance shall access monthly direct cash assistance through the department's vendor payment system or point of sale payments, provided however, that eligible recipients shall not withdraw cash assistance from a point of sale transaction. Beginning on November 30, 2012, eligible recipients of direct cash assistance shall not have access to monthly direct cash assistance through automatic teller machines.

Section 5P. Notwithstanding any general or special law to the contrary, the department shall solicit, in writing, a cost estimate from the department's current vendor and at least one other vendor for the costs associated with requiring the department to include, on the front of each newly issued, re-issued, and existing electronic benefit transfer card, a photograph of the cardholder. The department shall submit a final cost estimate by filing the same with the clerks of the house and the senate not later than November 30, 2012."

Pending the question on adoption of the amendment, Ms. Walz of Boston moved to amend it by striking out proposed sections 35 and 35A and inserting in place thereof the following four sections:

"SECTION 35. Chapter 18 of the General laws, as amended by chapter 84 of the acts of 2011, is hereby amended by striking out sections 5I through 5J, inclusive, and inserting in place thereof the following 2 sections:—

Section 5I. (a) As used in sections 5I through 5J, inclusive, the following terms shall, unless the context clearly requires otherwise, have the following meanings:—

'Access device', a card, code, or other means of access that can be used, alone or in conjunction with another access device, to obtain payments, allotments, benefits, money, goods or other things of value, or that can be used to initiate a transfer of funds under the federal Food Stamp Act, 7 U.S.C. § 2011 et seq., or regulations issued pursuant to the federal Food Stamp Act.

'Cosmetics', includes (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles; provided, however, that cosmetics shall not include soap, shampoo, deodorant, toothpaste, or other personal hygiene products.

'Automatic teller machine', a machine allowing for cash withdrawals of direct cash assistance.

'Department', the department of transitional assistance.

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‘Direct cash assistance’, any manner of cash assistance provided by the department of transitional assistance, including, but not limited to, temporary aid to families with dependent children, wherein the assistance is provided directly to the recipient, rather than a vendor.

‘Drinking establishment’, a business licensed to sell alcoholic beverages pursuant to chapter 138 that derives more than 50 per cent profit from the sale of alcoholic beverages.

‘Electronic benefit transfer card’, a card that provides benefits through an electronic benefit transfer.

‘Electronic benefit transfer’, a system for the food stamp program as an alternative to issuing food stamp coupons. An electronic benefit transfer system is a computer based system in which the benefit authorization is received through a point of sale terminal. Eligible households utilize plastic cards in lieu of food stamp coupons to purchase food items at authorized food retailers. This type of benefit may also be used to issue other types of public welfare benefits.

‘Eligible recipient’, a person who meets the nonfinancial, financial and categorical requirements that the department of transitional assistance utilizes to determine, upon application or review, whether a person is entitled to direct cash assistance, barring any evidence of an outstanding default or arrest warrant issued by any court of the commonwealth.

‘Immediate family’, the recipient and his spouse, and their parents, children, brothers and sisters.

‘Liquor Store’, an establishment licensed to sell alcoholic beverages not to be drunk on the premises pursuant to section 15 of chapter 138 excluding any food store as defined pursuant to section 184B of chapter 94.

‘Performance’, any commercially offered play, dance, concert, exhibit, including movies or simulcasts, any such entertainment at an establishment which displays live nudity for patrons as defined pursuant to section 9A of chapter 40A, or any such entertainment performed before 1 or more persons, excluding performances offered by, at or through any preschool, school, college, university, public library, church or nonprofit organization.

‘Performance venue’, any place at which a performance is conducted, including, but not limited to, a sports arena, stadium, ball park, race track, or establishment which display live nudity for patrons, as defined pursuant to section 9A of chapter 40A.

‘Person’, a natural person, corporation, association, partnership or other legal entity.

‘Travel services’, furnishing or facilitating interstate travel for vacation or foreign travel, except in the case of the death of a family member or family emergency.

(b) (1) No person shall knowingly use or accept direct cash assistance funds held on electronic benefit transfer cards or access devices for the purchase or sale of the following services or products: (1) alcoholic beverages as defined in section 1 of chapter 138; (2) lottery tickets; (3) tobacco products as defined in section 1 of chapter 64C; (4) any visual material or performance intended to create or simulate sexual conduct or sexual excitement as those terms are defined pursuant to section 31 of chapter 272; (5) firearms or ammunition as defined in section 121 of chapter 140; (6) admission to any perfor-

mances; (7) cosmetics; (8) professional services, excluding medical care, provided by any member of the bar or any person licensed pursuant to chapter 112 professional services provided by any member of the bar or any person licensed pursuant to chapter 112, but excluding health care services and services provided for haircutting or funeral or final disposition; (9) travel services; (10) services, excluding childcare services, programs at a community center or similar nonprofit facility or memberships, provided by health clubs as defined pursuant to section 78 of chapter 93; (11) tattoos for the marking of the human body or other body art or piercings; (12) jewelry; (13) for the rental of goods or real property, except for rent paid for a primary residence; (14) for the payment to the commonwealth or any political subdivision thereof of any, fee, fine or penalty, including restitution or bail or bail bonds ordered by a court; or (15) gambling as defined pursuant to section 2 of chapter 23K.

(2) No person shall knowingly use an access device or automatic teller machine to access direct cash assistance funds held on electronic benefit transfer cards at: (1) liquor stores; (2) gaming establishments licensed pursuant to chapter 23K; (3) performance venues; (4) adult bookstores or adult paraphernalia stores, as defined pursuant to section 9A of chapter 40A; (5) firearms dealers licensed pursuant to section 122 of chapter 140 and ammunitions dealers licensed pursuant to section 122B of chapter 140; (6) tattoo parlors; (7) manicure shops or aesthetic shops registered pursuant to chapter 112; (8) (9) rent-to-own furniture, electronics, or appliance stores; (10) jewelry stores; (11) drinking establishments; (12) on cruise ships.

(3) No person shall permit the use of an access device or automatic teller machine to access direct cash assistance funds held on electronic benefit transfer cards at: (1) liquor stores; (2) gaming establishments licensed pursuant to chapter 23K; (3) performance venues; (4) adult bookstores or adult paraphernalia stores, as defined pursuant to section 9A of chapter 40A; (5) firearms dealers licensed pursuant to section 122 of chapter 140 and ammunitions dealers licensed pursuant to section 122B of chapter 140; (6) tattoo parlors; (7) manicure shops or aesthetic shops registered pursuant to chapter 112; (9) rent-to-own furniture, electronics, or appliance stores; (10) jewelry stores; and (11) drinking establishments; or (12) cruise ships.

(c) The following types of businesses shall not house access devices or automatic teller machines that accept electronic benefit transfer cards: (1) liquor stores; (2) gaming establishments licensed pursuant to chapter 23K; (3) performance venues; (4) adult bookstores or adult paraphernalia stores, as defined pursuant to section 9A of chapter 40A; (5) firearms dealers licensed pursuant to section 122 of chapter 140 and ammunitions dealers licensed pursuant to section 122B of chapter 140; (6) tattoo parlors; (7) manicure shops or aesthetic shops registered pursuant to chapter 112; (8) rent-to-own furniture, electronics, or appliance stores; (10) jewelry stores; and (11) drinking establishments; (12) cruise ships.

(d) Any business that offers for sale the services or products defined by subsection (b), excluding businesses defined by subsection (e), shall display in an area conspicuous to patrons a sign advising patrons of the excluded products.

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The department shall develop the sign and make a downloadable form available on the department's website. Business associations may also maintain a downloadable form of the sign on their websites.

(e) Any business identified in subsection (b), shall display in an area conspicuous to patrons a sign instructing patrons that the business is prohibited from accepting electronic benefit transfer cards.

The department shall develop the sign and make a downloadable form available on the department's website. Business associations may also maintain a downloadable form of the sign on their websites.

(f) No person shall knowingly access, or provide access to, direct cash assistance funds held on electronic benefit transfer cards or access devices to an eligible recipient from outside the commonwealth, except for states that immediately border the commonwealth; provided, however, that the department may permit direct cash assistance funds held on electronic benefit transfer cards or access devices to an eligible recipient to be accessed outside of the commonwealth or states along its border for a family or medical emergency or other such emergency purpose as approved by the department; and provided further, that an electronic benefit transfer card or access device shall be authorized to access federal Supplemental Nutrition Assistance Program benefits in any manner authorized by federal law.

(g) Any eligible recipient of direct cash assistance who knowingly makes a purchase in violation of this section shall reimburse the department for such purchase and shall be disqualified from the direct cash assistance program for a period of 3 months for the first offense and permanently for the second offense.

(h) Any person, except an eligible recipient, who knowingly violates clause 1 of subsection (b), subsection (c) or subsection (d) of this section shall be punished by a fine of not more than \$500 for the first offense, a fine of not less than \$500 nor more than \$1,000 for the second offense and a fine of not less than \$10,000 for the third or subsequent offense.

At minimum, the department shall identify all violators on a monthly basis and direct the appropriate vendor to technologically prohibit the respective access device from accepting electronic benefit transfer cards.

(i) Any person, except an eligible recipient who knowingly violates clause 2 or clause 3 of subsection (b) shall be punished by a fine of not less than \$1,000 for the first offense; not less than \$3,000 for the second offense and not less than \$10,000 for the third or subsequent offense.

(j) The alcoholic beverages control commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (b) or subsection (c).

(k) The state lottery commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (b) or subsection (c).

Section 5J. (a) No person shall knowingly, transfer, acquire, alter or possess an electronic benefit transfer card or access device in any manner not authorized by the federal Food Stamp act or this chapter.

(b) No person shall present for payment or redemption an electronic benefit transfer card or access device that has been illegally received, transferred, or altered.

(c) A person who is found to have knowingly violated subsection (a) or subsection (b), if such benefits are of an aggregate value of less than \$100, shall, upon the first conviction thereof, be imprisoned in a jail or house of correction for not more than 1 year or fined not more than \$1,000, or both, and upon the second and any subsequent conviction thereof, shall be imprisoned in a jail or house of correction for not more than 2½ years or fined not more than \$1,000, or both.

A person who is found to have knowingly violated subsection (a) or subsection (b), if such benefit has an aggregate value of more than \$100 but less than \$5,000, shall, upon the first conviction thereof, be imprisoned in a jail or house of correction or in the state prison for not more than 3 years or be fined not more than \$10,000, or both, and, upon the second and any subsequent conviction thereof, shall be imprisoned in a jail or house of correction or in the state prison for not more than 5 years or be fined not more than \$10,000, or both.

A person who is found to have knowingly violated subsection (a) or subsection (b), if such benefits are of an aggregate value of \$5,000 or more, shall be imprisoned in a jail or house of correction or the state prison for not more than 20 years or be fined not more than \$250,000, or both.

(d) Any person who is found to have knowingly violated subsection (a) or subsection (b) shall forfeit to the commonwealth all property, real and personal, used in connection with the violation or any proceeds traceable to said violation.

The proceeds from any sale of forfeited property and any monies forfeited under this subsection shall be used by the commonwealth to reimburse the bureau of special investigations in the office of the state auditor, established under section 16 of chapter 11, or any other state or local agency for any cost incurred in the investigative effort resulting in the forfeiture.

No interest in property shall be forfeited under this subsection as the result of any act or omission established by the owner of the interest to have been committed or omitted without the knowledge or consent of the owner.

(e) The alcoholic beverages control commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (a) or subsection (b).

(f) The state lottery commission may suspend or revoke the license of any person who is found to have knowingly violated subsection (a) or subsection (b).

Section 5K. Whoever embezzles, steals or obtains by fraud any funds, assets or property provided by the department and whoever receives, conceals or retains such funds, assets or property for his own interest knowing such funds, assets or property have been embezzled, stolen or obtained by fraud shall, if such funds, assets or property are of a value of \$100 or more, be punished by a fine of not more than \$25,000 or by imprisonment in a jail or house of correction for not more than 2½ years, or imprisonment in the state prison for not more than 5 years, or both such fine and imprisonment, or if such funds, assets or property are of a value of less than \$100, by a fine of not more than \$1,000 or by imprisonment in a jail or house of correction for not more than 1 year, or both such fine and imprisonment.

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Section 5L. The department shall charge all eligible recipients of direct cash assistance a fee of \$5 for each requested replacement card. All fees for replacement cards shall be deducted directly from the recipient's direct cash assistance.

SECTION 35A. Notwithstanding any general or special law to the contrary, the department of transitional assistance benefits in the form of vendor payments with respect to rent and utilities, whenever a determination is made that the grant has not been used in the best interests of the child or the assistance unit or other chronic misuse of benefits is occurring, provided that implementation of vendor payments will not increase the risk of homelessness, decrease the ability to escape domestic abuse or impair the assistance unit's ability to withhold payment as a reasonable exercise of consumer or tenant rights when there is a legitimate dispute as to whether terms of an agreement have been met. The department of transitional assistance may presume mismanagement of benefits whenever shelter costs, including, but not limited to, rent, heat, fuel, utilities, have regularly not been met without reasonable cause. At eligibility determinations and redeterminations, the department shall screen households to determine if they have chronically failed to pay rent and utilities to determine if vendor payments are appropriate and shall refer households to the housing consumer education centers and community based resources for assistance in meeting their expenses.

SECTION 35B. Notwithstanding any general or special law to the contrary, the department of transitional assistance and the Massachusetts Bay Transit Authority shall coordinate to ensure that by June 30, 2013, direct cash assistance funds held on electronic benefit transfer cards be accepted for payment of public transportation fares at electronic fare vending machines.

SECTION 35C. Notwithstanding any general or special law to the contrary, there shall be an independent commission to study and report on the development of a cashless payment system in using electronic benefit transfer, or EBT, cards. The commission shall consist of the following 9 members: the commissioner of transitional assistance, or a designee, who shall serve as chair; the inspector general, or a designee; the state auditor, or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; and 2 persons representing eligible recipients as appointed by the governor. The commission shall research, assess and develop recommendations to implement a cashless payment system and investigate and report on the feasibility of expanding the direct vendor payment system for rent and utility payments for all eligible recipients. The commission shall hire an independent consultant to conduct the research and assist with the preparation of any recommendations. The report shall include, but shall not be limited to, the following: (1) the costs associated with and any technological improvements necessary to implement and the time frame required for the expansion; (2) the implementation of a vendor payment system for the non-cash payment of rent and utility bills for all eligible recipients of direct cash assistance; and (3) the feasibility of placing fluctuating limitations on the percentage allocated to direct

cash assistance and point of sale use. The commission shall submit a final report of its findings and recommendations, together with drafts of legislation necessary to implement those recommendations, by filing the same with the clerks of the senate and house on or before December 31, 2012.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Holmes of Boston; and on the roll call 123 members voted in the affirmative and 33 in the negative.

Further amendment adopted,—yea and nay No. 242.

[See Yea and Nay No. 242 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

Consolidated amendments (business and economic development).

In item 7002-0012 by striking out the figure: “6,915,087” and inserting in place thereof the figures “8,609,158”;

In item 7002-0017 by striking out the figures “2,796,246” and inserting in place thereof the figures “2,952,761”;

In item 7003-0100 by striking out the figures “429,961” and inserting in place thereof the figures “758,649”;

In item 7003-0200 by striking out the figures “1,283,716” and inserting in place thereof the figures “2,026,178”;

In item 7003-0803 by striking out the figures “4,480,122” and inserting in place thereof the figures “4,752,323”;

In item 7003-1206 by inserting after the word “organizations” the following: “; provided, that not less than \$250,000 shall be expended for the New England Farm Workers Council; provided further, that the Urban League of Eastern Massachusetts shall receive 50 per cent of the amount appropriated in chapter 68 of the acts of 2011 and that the remainder of said amount be expended for the Urban League of Springfield, Massachusetts; and provided further, that not less than \$25,000 shall be expended for programs supporting and promoting cultural heritage diversity, and education in the city of Boston that were in item 7007-0900 in chapter 182 of the acts of 2008”, and in said item by striking out the figures “500,000” and inserting in place thereof the figures “1,525,000”;

By inserting after item 7006-0071 the following item:

“7007-0150 For the Massachusetts office of business development for contracts with regional economic development organizations under the program established by section 3J and 3K of chapter 23A of the General Laws	\$850,000”;
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In item 7007-0300 by striking out the words “including the Mass-Works Capital Infrastructure Program,”

In item 7007-0800 by inserting after the words “technical assistance services within said center” the following: “; provided further, that no less than \$25,000 each shall be expended for the Winthrop and Revere Chambers of Commerce, respectively, for the purpose of small business development”, and in said item by striking out the figures “1,204,286” and inserting in place thereof the figures “1,254,286”;

By inserting after item 7007-0800, the following item:

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Bill.

“7007-0801 For microlending grants of up to \$100,000, to be issued to established Community Development Financial Institutions and Community Advantage Lenders making direct microenterprise and small business loans to borrowers on a regional basis, as well as providing technical assistance to applicants and borrowers in order to foster business establishment and success, provided that the funds will be used to support eligible organization’s lending and technical assistance activities \$200,000”;

In item 7007-0952 by striking out the figures “3,500,000 and inserting in place thereof the figures “3,750,000”;

In item 7008-0900, in line 3, by inserting after the word “commonwealth” the following: ”; provided further, that no less than \$200,000 shall be expended as grants for the Bay State Games; provided further, that no less than \$250,000 shall be expended as matching grants to the Plymouth 400th Committee for the commemoration of the town of Plymouth’s 400th anniversary; provided further that no less than \$25,000 shall be expended as grants for business assistance organizations in the city of Haverhill that were in item 7007-0900 in chapter 182 of the acts of 2008; provided further, that no less than \$250,000 shall be expended for a matching grant program to the Enrichment Center located in Mattapan; provided further that no less than \$50,000 shall be provided to the Grand Army of the Republic Historical Museum in Lynn; provided further, that no less than \$200,000 shall be expended for opening the 11 Visitor Information Centers from Memorial Day to Columbus Day; provided further, that no less than \$75,000 shall be expended for the Waltham Tourism Council; provided further, that no less than \$30,000 shall be expended for a child safety grant in the town in Saugus; provided further, that no less than \$100,000 shall be expended for a senior safety grant in the town of Newburyport; provided further, that not less than \$25,000 shall be expended for the Town of Pembroke’s 300th Anniversary; provided further, that not less than \$25,000 shall be expended for the Town of Duxbury’s 375th Anniversary”, and in said item by striking out the figures “1,822,454” and inserting in place thereof the figures “3,052,454”, and

In item 7008-1000 by striking out the figures “4,000,000” and inserting in place thereof the figures “6,000,000”;

By inserting before the effective date sections (which were subsequently renumbered) the following three sections:

“SECTION 198. Chapter 23A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 10A the following new section:—

Section 10B. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the Student Entrepreneurial Development and Economic Investment Fund, hereinafter referred to as the Student Investment Fund, to which shall be credited any appropriations, bond proceeds, or other monies authorized by the general court and specifically designated to be credited thereto and additional funds designated for deposit to the student investment fund, including any pension funds, federal grants or loans, or private donations made available to the secretary of economic development.

The secretary of economic development shall hold the student investment fund in an account separate from other funds or accounts. Amounts credited to the student investment fund shall be available to the investment board as established in subsection (b) to carry out the purposes of subsection (c).

(b) The investment board shall consist of the following members: the secretary of economic development or his designee, who shall serve as the chairperson of the board; the chairman of the board of higher education or his designee, who shall serve as the vice-chairperson of the board; the president of the Massachusetts technology development corporation, or his designee; the executive director of commercial ventures and intellectual property, or his designee; two private Massachusetts-based investors to be chosen by the chairperson in consultation with the president of the Massachusetts technology development corporation; one student representative selected by the university of Massachusetts representative to the board of higher education; one student representative selected by the state college representative to the board of higher education; and one student representative selected by the community college representative to the board of higher education. The chairman of the board of higher education shall establish a student application program to aid the representatives of the board of higher education in the selection of student members to the board.

Five members of the board shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(c) The purpose of the student investment fund shall be to provide an opportunity for interested students to gain experience in entrepreneurialism and early-stage business development while fostering an economic environment that will attract students to the commonwealth and forge a relationship between the public higher education system and the Massachusetts business community with the intent of driving economic growth. Funds made available to the student investment board from the student investment fund shall be used for a grant program administered by the board for prototype funding of Massachusetts' student ideas in early development stages; provided however, that the development of such ideas, plans, or business occur within the commonwealth. The secretary of economic development shall promulgate rules regarding the enforcement and penalties for recipients who relocate outside of the commonwealth. The board shall not be limited in the number of grants distributed to students in any 1 year; provided however, that the total monetary amount of all grants distributed by the board in a fiscal year shall not exceed 20 per cent of the fund's first year balance. The board shall hold periodic hearings to allow selected students, who have submitted a statement of interest and initial business plan, the opportunity to present a comprehensive business plan describing characteristics and proprietary positions of the student's product or services; present and future markets for such products or services; potential strategies for the future development and funding of the prototype product or service; a statement of amount, timing and

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Bill.

projected use of the capital sought by the student; and a statement of the projected growth in employment or other positive economic impacts. Comprehensive business plans may be written and reviewed in consultation with the Massachusetts technology transfer center at the University of Massachusetts.

(d) The board shall, by January 1 of each year, submit a report of its activities for the preceding fiscal year to the governor, the joint committee on economic development and emerging technologies, and the clerks of the house of representatives and senate. Each report shall set forth a complete financial statement covering its operation during the year and shall also include any requests for additional appropriations.

SECTION 199. Section 1 of chapter 30B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 87 through 88, paragraph (31) of subsection (b) in its entirety.

SECTION 200. Section 2 of chapter 354 of the acts of 2008 is hereby amended by striking the figure '2012' and inserting in place thereof the figure:— 2016.”

The amendments were adopted.

Mr. Dempsey of Haverhill moves to amend the bill in section 2

In item 1599-0026, in lines 4 to 7, inclusive, by striking out the following: “provided further, that the competitive grant program shall include only those local education authorities whose chapter 70 aid in fiscal year 2013, as a percentage of foundation budget, is less than that local education authorities. target aid share for fiscal year 2013” and inserting in place thereof the following: “provided further, that no less than \$200,000 be expended for the purpose of funding a 20% regional grant match for the Fire Chiefs Association of Plymouth County to develop and upgrade the emergency radio communications system in Plymouth County”, and in said item by striking out the figures “5,750,000” (inserted by amendment) and inserting in place thereof the figures “5,950,000”.

In item 2300-0100, in line 8, by inserting after the words “budgetary costs” the following: “; provided, further, that no more than \$10,000 shall be expended for costs incurred relating to the transfer of a parcel of land by the commonwealth in the town of Halifax to the town”, and in said item by striking out the figures “645,902” and inserting in place thereof the figures “655,902”;

In item 3000-7050, in line 11, by inserting after the words “shall include, but not be limited to” the following: “; the home-based, school readiness and family support program known as the parent-child home program”, and in line 23, after the word “item”, by striking out the words “the home-based, school readiness and family support program known as the parent-child home program” (inserted by amendment);

In item 7003-1206, in line 3, by inserting after the following: “chapter 182 of the acts of 2008” (inserted by amendment) the following: “; provided further, that no less than \$100,000 shall be provided for financial support of the MA Latino Chamber of Commerce”, and in said item by striking out the figures “1,525,000” (inserted by amendment) and inserting in place thereof the figures “1,625,000”;

In item 7061-0928, in line 10, by striking out the word “department” and inserting in place thereof the words “department’s advisory

committee”, and in line 13, by striking out the date “January 4, 2013” and inserting in place thereof the date “December 31, 2013”;

In section 81, in line 1050, by inserting after the word “services” the word “personal”;

In section 90, in line 1359, by inserting after the word “co-chairs” the words “; the secretary of elder affairs, or a designee”, and in line 1369, by striking out the following: “and 4 members” and inserting in place thereof the following: “the president of the Alzheimer’s Association, or a designee; and 3 members”;

In section 91, in line 1393, by inserting after the word “contrary” the words: “, in the case of community colleges;

By inserting before the effective date sections (which were subsequently renumbered) the following two sections:

“SECTION 201. Section 5K of chapter 59 of the General Laws is hereby amended by inserting, in line 5 and line 7, after the phrase ‘age of 60’ the following:— and veterans, as defined in clause forty-third of section 7 of chapter 4.

SECTION 202. Notwithstanding any general or special law to the contrary the Department of Public Health is prohibited from raising licensing fees for food vending machines greater than 100% in a calendar year.”.

The amendments were adopted (the effective date sections then were renumbered to become sections 203 to 208, inclusive).

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 152 members voted in the affirmative and 4 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 243.

[See Yea and Nay No. 243 in Supplement.]

Therefore the bill (House, No. 4101, published as amended) 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 Monday next at the hour of eleven o’clock A.M.

Next
sitting.

At two minutes after twelve o’clock A.M. (Thursday, April 26), on motion of Mr. Peterson of Grafton (Mr. Mariano of Quincy being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.

Monday, April 30, 2012.

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.

Resolutions.

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

Mansfield,—
Weddleton
Bridge.

Resolutions (filed by Representatives Barrows of Mansfield, Kafka of Stoughton and Poirier of North Attleborough) celebrating the dedication of the Sergeant Douglas A. Weddleton Bridge in the town of Mansfield;

Thomas L. P.
O'Donnell.

Resolutions (filed by Mr. Bradley of Hingham) congratulating Thomas L. P. O'Donnell on the occasion of his retirement as moderator for the town of Hingham;

David
Hennis.

Resolutions (filed by Mrs. Canavan of Brockton) honoring David Hennis for receiving the Eagle Award of the Boy Scouts of America;

Alexander J.
Willett.

Resolutions (filed by Mrs. Creedon of Brockton) congratulating Alexander J. Willett of Brockton upon his elevation to the rank of Eagle Scout;

Brian
Pierro.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Brian Pierro on earning the rank of Eagle Scout with the Boy Scouts of America;

Joshua
Tassone.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Joshua Tassone on receiving the rank of Eagle Scout with the Boy Scouts of America;

Hampshire
County.

Resolutions (filed by Mr. Kulik of Worthington and other members of the House) honoring Hampshire County on the occasion of its three hundred and fiftieth anniversary;

John Allan
Jenkins.

Resolutions (filed by Representatives Kulik of Worthington and Story of Amherst) honoring John Allan Jenkins on the occasion of his retirement from the University of Massachusetts Amherst;

John
Noble.

Resolutions (filed by Mr. Levy of Marlborough) honoring John Noble as the oldest active Massachusetts member of the Military Order of the Purple Heart;

Natick,—
Cardellicchio
Square.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) celebrating the dedication of the Cardellicchio Brothers Square in the town of Natick;

Alex
Beach.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Alex Beach on receiving the Eagle Award of the Boy Scouts of America;

Bryan
Beach.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Bryan Beach on receiving the Eagle Award of the Boy Scouts of America;

- Resolutions (filed by Mr. McMurtry of Dedham) congratulating Conor Duffy on receiving the Eagle Award of the Boy Scouts of America; Conor Duffy.
- Resolutions (filed by Mr. McMurtry of Dedham) congratulating Jonathan Mooncai on receiving the Eagle Award of the Boy Scouts of America; Jonathan Mooncai.
- Resolutions (filed by Mr. McMurtry of Dedham) congratulating Colin Neville on receiving the Eagle Award of the Boy Scouts of America; Colin Neville.
- Resolutions (filed by Mr. McMurtry of Dedham) congratulating Kiernan Somers on receiving the Eagle Award of the Boy Scouts of America; Kiernan Somers.
- Resolutions (filed by Messrs. Rogers of Norwood, Kafka of Stoughton, McMurtry of Dedham and Winslow of Norfolk) honoring Dr. and Mrs. Arnold Vetstein on the forty-fifth anniversary of the League School of Greater Boston; Dr. and Mrs. Arnold Vetstein.
- Resolutions (filed by Messrs. Straus of Mattapoisett, Cabral of New Bedford, Koczera of New Bedford, Markey of Dartmouth and Schmid of Westport) congratulating the United States Coast Guard Auxiliary New Bedford Flotilla 65 on its seventieth anniversary; New Bedford Flotilla 65.
- Resolutions (filed by Mr. Turner of Dennis) congratulating Laura Gurney on the occasion of her one-hundredth anniversary; Laura Gurney.
- Resolutions (filed by Mr. Winslow of Norfolk) congratulating Victoria M. Abramo of Norfolk on receiving the Gold Award of the Girl Scouts of America; and Victoria M. Abramo.
- Resolutions (filed by Ms. Wolf of Cambridge) honoring Just-A-Start biomedical careers program; Just-A-Start program.

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

Communication.

A communication from the Department of Elementary and Secondary Education (pursuant to Section 1J(a) of Chapter 69 of the General Laws as amended by Section 3 of Chapter 12 of the Acts of 2010) submitting proposed amendments to 603 CMR 2.00, relative to accountability and assistance for school districts and school regulations [a copy of the proposed regulations having been forwarded (on Friday, April 27) to the committee on Education, as required by said law], was placed on file. Elementary and Secondary Education Department,—regulations.

Special Reports.

Reports

Of the Director of Deferred Compensation of the Office of the State Treasurer established (under Section 57 of Chapter 176 of the Acts of 2011) to increase public employee participation in state sponsored deferred compensation plans, including increased outreach and access for new employees; and Deferred compensation,—participation.

Tax
expenditures.

Of the Tax Expenditure Commission established (under Section 160 of Chapter 68 of the Acts of 2011) to review and evaluate the administration and fiscal impact of tax expenditures;
Severally were placed on file.

Papers from the Senate.

Bills

Workers'
compensation
insurance.

Relative to workers' compensation insurance (Senate, No. 915, amended in line 5 by striking out the word "jail" and inserting in place thereof the words "the house of correction"); and

Storage
tanks.

Relative to certain tanks used for the storage of fluids (Senate, No. 2166) (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Melrose,—
housing.

Authorizing the conveyance of certain properties by the Melrose housing authority to fund improvements to low income family housing units owned by the Melrose housing authority and to increase the number of low and moderate income family housing units in the city of Melrose (Senate, No. 2234) (on Senate bill No. 2004) [Local Approval Received]; and

Wareham,—
town
election.

Validating the actions taken at the annual town election in the town of Wareham (printed as House, No. 4032) (on a message from the Governor);

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.

Rockport,—
liquor
license.

A petition (accompanied by bill, Senate, No. 2239) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation to authorize the town of Rockport to grant a license for the sale of wines and malt beverages at a food store, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Reports of Committees.

Pioneer
Valley,—
Polish
heritage.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on a petition, a Bill relative to preserving Polish heritage in the Pioneer Valley (House, No. 2105, changed in line 29 by striking out the year "2012" and inserting in place thereof the year "2013").

College
textbooks,—
study.

By the same member, for the same committee, on Senate, No. 561 and House, No. 1245, a Resolve providing for an investigation and study by a special commission relative to reducing the costs associated with the purchase of college textbooks (House, No. 4060).

Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

North Shore
Community
College.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on Senate, No. 560 and House, No. 3325, a Bill relative to the North Shore Community College Assistance Corporation (House, No. 3325).

Tree wardens,—
regulate.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill to update the public shade tree law (House, No. 1839).

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill concerning car rental fees (House, No. 782). Car rental fees.

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

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to municipal use of insurance proceeds (House, No. 557). Insurance proceeds,—use.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to the collection of personal property taxes (House, No. 2500). Personal property taxes.

By the same member, for the same committee, on House, No. 3435, a Bill authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (House, No. 4062) [Local Approval Received]. Sudbury,—property taxes.

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

Reports

Of the committee on Health Care Financing, ought NOT to pass (under Joint Rule 10), on the Bill relative to developing an HIT revolving loan program (House, No. 628); Loan fund.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the Bill encouraging nurse practitioner and physician assistant practice of primary care (House, No. 3614); and Primary care practice.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the Bill relative to the establishment of a commission to modernize HIV/AIDS prevention and treatment (House, No. 3865); HIV/AIDS,—study.

Under suspension of the rules, in each instance, on a motion of Mr. Smizik of Brookline, the bills were considered forthwith, the question, in each instance, being on rejection (under Joint Rule 10), pending which they were recommitted, in each instance, on motion of Mr. Walsh of Lynn.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to Hamilton Development Corporation (House, No. 3710) [Local Approval Received], be scheduled for consideration by the House. Hamilton Development Corporation.

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

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Stephen Gladding, an employee of the Massachusetts Department of Transportation (see House, No. 3935) (which 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. Bill enacted.

Engrossed bills

Authorizing the Board of Selectmen in the town of Sherborn to enter into an employment contract for the position of Police Chief (see House, No. 3487); Bills enacted.

Bills
enacted.

Relative to the Mattapoisett River Valley Water District (see House, No. 3758);

Relative to Aquaculture license fees in the town of Mattapoisett (see House, No. 3833); and

Authorizing the city of Woburn to place a certain question on the state election ballot relative to the granting of a license for the sale of wines and malt beverages to be drunk on the premises of certain restaurants (see House, No. 3892, 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.

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 twenty minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, May 3, 2012.

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).

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. Pledge of allegiance.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the town of Swansea Volunteer Fire Department [see House, No. 3996, amended] (for message, see House, No. 4066), was filed in the office of the Clerk on Tuesday, May 1. Swansea,— Volunteer Fire Department.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O'Day of Worcester, to the committee on Bills in the Third Reading.

Resolutions.

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

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Spencer Barrows on receiving the Eagle Award of the Boy Scouts of America; Spencer Barrows.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Virginia Smith Alterio on her retirement as Director of the Wellesley Nursery School in the Hills in the town of Wellesley; Virginia Smith Alterio.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating the town of Wellesley on the occasion of the dedication of the 2012 Wellesley High School; and Wellesley High School.

Resolutions (filed by Mr. Webster of Pembroke) congratulating Charles W. Mann on the occasion of his retirement as Moderator for the town of Hanson; Charles W. Mann.

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.

Credit union
parity,—
proposed
regulations.

A communication (accompanied by bill, House No. 4067) from the Division of Banks (under Section 6A of Chapter 171 of the General Laws) submitting proposed amendments to 209 Commonwealth of Massachusetts Regulations 50.00 et seq., Parity with Federal Credit Unions, was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Alcohol and
substance free
housing.

A communication from the Bureau of Substance Abuse Services (under section 10 of Chapter 283 of the Acts of 2010) relative to the study of alcohol and substance free housing, was placed on file.

Orders.

The following order (filed by Mr. Scibak of South Hadley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Public
Service,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, June 21, 2012, the time within which to make its final report on current House documents numbered 718, 1593, 2453 and 3980.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Transporta-
tion,—
extension
of time for
reporting.

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Tuesday, May 1, 2012, the time within which to make its final report on current House documents numbered 907, 914, 918, 928, 930, 931, 949, 1782, 1794, 1795, 1796, 1797, 1798, 1799, 1801, 1802, 1803, 1805, 1816, 2633, 2639, 2644, 2645, 2648, 2653, 2654, 2657, 2658, 2659, 2660, 2664, 2914, 2986, 3072, 3079, 3094, 3095, 3096, 3244, 3245, 3248, 3382, 3420, 3852, and 3966.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus, the order was considered forthwith.

Pending question on the adoption of the order, the same member moved to amend it by striking out the date "Tuesday, May 1, 2012" and inserting in place thereof the date "Tuesday, May 8, 2012". The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

*Papers from the Senate.**Reports*

Of the committee on Health Care Financing, asking to be discharged from further consideration of the following Senate bills:

Statements.

Relative to false, fraudulent or misleading statements (Senate, No. 408); and

Relative to oral cancer therapy (Senate, No. 1070);

Oral
cancer.

And recommending the same severally be referred to the Senate committee on Ways and Means.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence, insomuch as relates to the discharge of the committee.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3410) of Carolyn C. Dykema and others relative to a 14-day continuance by the court when dealing with veterans of the armed forces,— and recommending that the same be referred to the committee on Veterans and Federal Affairs.

Veterans,—
court.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill validating the actions taken at the annual town election in the town of Wareham (printed in House, No. 4032), be scheduled for consideration by the House.

Wareham,—
elections.

Under suspension of 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.

Subsequently under suspension of the rules, on motion of the same member, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to payment for use of ambulance services (House, No. 3917), be scheduled for consideration by the House;

Ambulance
services,—
payment.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, 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 Bill authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (House, No. 4062) [Local Approval Received], be scheduled for consideration by the House;

Sudbury,—
property tax
exemption.

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

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kristin LaPlante (House, No. 4061). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kristin
LaPlante,—
sick leave
bank.

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 Mr. O'Day of West Boylston, the bill was read a second time forthwith; and it was ordered to a third reading.

Mark Lewis,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (House, No. 4065). 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 matter be scheduled for consideration by the House.

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

Prescription
coupons.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to prescription transfer coupons (House, No. 273).

Accountable
care.

By the same member, for the same committee, on a petition, a Bill to enable the formation of accountable care organizations (House, No. 279).

Family
therapy.

By the same member, for the same committee, on a petition, a Bill relative to increasing consumer access to licensed marriage and family therapy (House, No. 295).

Observation
services.

By the same member, for the same committee, on a petition, a Bill to define the use of observation services (House, No. 304).

Supplemental
insurance.

By the same member, for the same committee, on a petition, a Bill relative to promoting supplemental insurance coverage (House, No. 306).

Clinical
services,—
access.

By the same member, for the same committee, on Senate, No. 473 and House, No. 332, a Bill to improve access to alcohol and other drug clinical services (House, No. 332).

Medical
loss
ratios.

By the same member, for the same committee, on a petition, a Bill relative to medical loss ratios (House, No. 1206).

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

Bullying in
schools.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 219 and House, No. 3584, a Bill relative to bullying in schools (House, No. 4063).

Board of Bank
Incorporation,—
transactions.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to certain actions and transactions before the Board of Bank Incorporation and the Commissioner of Banks (House, No. 287).

Division of
Banks.

By the same member, for the same committee, on a petition, a Bill relative to certain regulations of the Division of Banks (House, No. 289).

Legal
investments.

By the same member, for the same committee, on House, Nos. 290 and 2072, a Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 290).

Division of
Banks.

By the same member, for the same committee, on a petition, a Bill establishing uniform enforcement provisions and making other changes applicable to certain licensees under the jurisdiction of the Division of Banks (House, No. 1196).

- By the same member, for the same committee, on a petition, a Bill relative to confidentiality of examination reports of the Division of Banks (House, No. 1198). Division of Banks.
- By the same member, for the same committee, on a petition, a Bill relative to auto insurance reinspection requirements (House, No. 2769). Auto insurance.
- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to establish the uniform enforcement of foreign judgments (House, No. 1277). Foreign judgments,—enforcement.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to psychology training (House, No. 1003). Psychology training.
- By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to certain banking laws (House, No. 288). Banking laws.
- By the same member, for the same committee, on a petition, a Bill relating to Division of Insurance maintenance assessments (House, No. 296). Division of Insurance.
- By the same member, for the same committee, on a petition, a Bill relating to fire insurance (House, No. 298). Fire insurance.
- By the same member, for the same committee, on a petition, a Bill relative to continuing education of insurance producers (House, No. 300). Insurance,—education.
- By the same member, for the same committee, on a petition, a Bill revising certain provisions of the mutual holdings company law (House, No. 1210). Mutual holdings companies.
- By the same member, for the same committee, on a petition, a Bill relative to requiring insurance for taxicabs and commercial vehicles (House, No. 2032). Commercial vehicles.
- By the same member, for the same committee, on a petition, a Bill relative to insurance surcharges (House, No. 2058). Insurance surcharges.
- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to provide landowner's title protection (House, No. 2794). Title protection.
- By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill to protect the health and safety of people in restaurants (House, No. 1462). Restaurants,—safety.
- By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to honesty in bidding for public works (House, No. 3657). Public works,—bidding.
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill validating the actions taken at the annual town election in the town of Wareham (see Senate bill printed as House, No. 4032) (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; (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

Bill
enacted.

The engrossed Bill authorizing the town of Natick to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 3868) (which originated in the House), 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.

Third
reading
bills.

House bills
Relative to Hamilton Development Corporation (House, No. 3710);
and

Authorizing the town of Hingham to allow the lease and refurbishment of the Bathing Beach Bathhouse (House, No. 3856);

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. Sent to the Senate for concurrence.

Order.

Next
sitting.

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.

At ten minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, May 7, 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.

Resolutions.

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

Resolutions (filed by Ms. Reinstein of Revere and other members of the House) congratulating John X. Crowley on the occasion of his retirement from Northeast Metropolitan Regional Vocational High School; John X. Crowley.

Resolutions (filed by Mr. Finn of West Springfield) congratulating Thomas E. Burke on the occasion of his retirement; Thomas E. Burke.

Resolutions (filed by Ms. Fox of Boston) honoring Boston Chapter of the Alabama Group; Alabama Group.

Resolutions (filed by Representatives Lewis of Winchester and Dwyer of Woburn) congratulating Chief Richard Bongiorno on his retirement as Chief of Police from the Stoneham Police Department; Richard Bongiorno.

Resolutions (filed by Mr. O'Day of West Boylston) honoring the Joy of Music Program on twenty-five years of spreading the joy of music; Joy of Music Program.

Resolutions (filed by Representatives Ross of Attleboro and Poirier of North Attleborough) honoring Irene Davey for her distinguished military service; Irene Davey.

Resolutions (filed by Ms. Story of Amherst) honoring and supporting all Massachusetts mothers who have suffered from post partum depression or other maternal mental health issues; and Mothers,—post partum depression.

Resolutions (filed by Ms. Story of Amherst) congratulating the University of Massachusetts Amherst on the fortieth anniversary of its University Without Walls degree completion program; UMass Amherst.

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

Reports.

Reports of the Department of Public Health (under sections 5, 20 and 21 of Chapter 111 of the General Laws) submitting correctional facility inspection reports, as follows: Correctional facilities,—inspection reports.

Of the Barnstable County Correctional Facility, in the town of Bourne;

Correctional facilities,— inspection reports.

Of the Massachusetts Correctional Institute – Plymouth, in Myles Standish State Forest, in the town of South Carver; and
Of the Worcester County House of Correction and Jail, in the town of West Boylston;
Severally were placed on file.

Papers from the Senate.

Bills

Water storage facilities.

Authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126) (on Senate, No. 1609);

Worcester,— land.

Authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250) (on Senate bill No. 2029); and

Veterans,— livelihood.

Relative to veterans' access, livelihood, opportunity and resources (Senate, No. 2254) (on Senate bill No. 2241);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Essex,— Conomo Point.

Authorizing the town of Essex to sell or lease real property at Conomo Point (Senate, No. 2246) (on Senate, No. 2009); and

Pittsfield Economic Development.

Modifying the Pittsfield Economic Development Authority (Senate, No. 2178) (on a petition) [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.

Health care,— quality and cost.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the message from His Excellency the Governor recommending legislation relative to improving the quality of health care and controlling cost by reforming health systems and payments (House, No. 1849), and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as it relates to the discharge of the committee.

Reports of Committees.

Physicians,— recruit.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill to recruit and retain certain physicians in the Commonwealth (House, No. 1211).

Manufacturers' rebates.

By the same member, for the same committee, on a petition, a Bill relative to manufacturers' coupons and rebates (House, No. 1216).

Physician assistants.

By the same member, for the same committee, on Senate, No. 403 and House, No. 2057, a Bill relative to physician services provided by physician assistants (House, No. 2057).

Women's health.

By the same member, for the same committee, on a petition, a Bill relative to promoting women's health (House, No. 3542).

Devic's Disease,— insurancee.

By the same member, for the same committee, on a petition, a Bill relative to health insurance coverage for Devic's Disease (House, No. 3641).

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

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 401 and House, No. 2761, a Bill protecting consumers from unsolicited loans (House, No. 2761). Unsolicited loans.

By the same member, for the same committee, on a petition, a Bill making the deposit of public monies uniform (House, No. 2763). Public monies.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, Nos. 483, 485, 486, 487, 502, 505, 508, 523, 525, 533, 538, 541, 542, 543, 552 and 555 and House, Nos. 339, 341, 345, 628, 1220, 1221, 1222, 1225, 1236, 1237, 1240, 1498, 2081, 2084, 2085, 2093, 2098, 2100, 2781, 2784, 2785, 3354 and 3614, a Bill relative to health care quality improvement and cost reduction act of 2012 (House, No. 4070) [Cost: More than \$100,000.00]. Health care cost reduction.

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

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 3858, a Bill prohibiting robocalls to all mobile telephone devices (House, No. 4073). Robocalls,—prohibit.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to creation of a reserve fund for credit unions (House, No. 2073). Credit unions,—reserve fund.

By the same member, for the same committee, on a petition, a Bill relative to the anti-arson application for dwelling policies (House, No. 3129). Insurance,—fire damage.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to trafficking in methamphetamines (House, No. 2220). Meth trafficking.

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:

Senate bill

Authorizing the town of Plymouth to make improvements on unaccepted roads (Senate, No. 1049) [Local Approval Received]; and Plymouth,—roads.

House bills

Relative to commercial area revitalization districts (House, No. 89); Revitalization.

To include fire districts (House, No. 565, changed); Fire districts.

Relative to promoting local housing initiatives for economically diverse households (House, No. 1271); Housing,—diversity.

Relative to regional stabilization funds (House, No. 4016); Regional funds.

Supporting municipal fiscal stability through a special education stabilization fund (House, No. 4017); and Special education.

Relative to court ordered hospitalizations (House, No. 4021); Hospitalizations.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Increasing the expenditure limit on the parks and recreation revolving fund in the town of Hanover (see House, No. 3502); and Bills enacted.

Bills
enacted.

Amending the charter of the town of Harwich (see House, No. 3504);
(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
bill.

The House Bill relative to payment for use of ambulance services
(House, No. 3917), 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. Sent to the Senate for concurrence.

Recess.

Recess.

At seventeen minutes after eleven o'clock A.M., on motion of
Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair),
the House recessed until a quarter before twelve o'clock noon; and at
seven minutes before twelve o'clock noon the House was called to
order with Mr. Donato in the Chair.

Reports of Committees.

Supplemental
appropriations.

By Mr. Dempsey of Haverhill, for the committee on Ways and
Means, on part of House, No. 3898, a Bill making appropriations for
the fiscal year 2012 to provide for supplementing certain existing
appropriations and for certain other activities and projects (House,
No. 4071) [Total appropriations: \$71,712,795.00]. Read; and referred,
under Rule 7A to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the mat-
ter 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.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet
on Wednesday next at eleven o'clock A.M.

At nineteen minutes after twelve o'clock noon, on motion of
Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair),
the House adjourned, to meet the following Wednesday at eleven
o'clock A.M.

Wednesday, May 9, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Statement Concerning Representative O'Flaherty of Chelsea.

A statement of Mr. Mariano of Quincy concerning Mr. O'Flaherty of Chelsea was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative O'Flaherty of Chelsea, was unable to be present in the House Chamber for today's sitting due to official business outside of the Commonwealth. His missing of the roll call today was due entirely to the reason stated. Statement concerning Mr. O'Flaherty of Chelsea.

Statement Concerning Representative Scaccia of Boston.

A statement of Mr. Mariano of Quincy concerning Mr. Scaccia of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Scaccia of Boston, was unable to be present in the House Chamber for today's sitting due to a scheduling conflict. If he had been present he would have voted in the affirmative on Roll Call No. 244. His missing of the roll call today was due entirely to the reason stated. Statement concerning Mr. Scaccia of Boston.

Statement Concerning Representative Speliotis of Danvers.

A statement of Mr. Mariano of Quincy concerning Mr. Speliotis of Danvers was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Speliotis of Danvers, was unable to be present in the House Chamber for today's sitting due to the groundbreaking of a new school in his district, Essex North Shore Agricultural and Technical High School in Danvers. His missing of the roll call today was due entirely to his attendance at that event. Statement concerning Mr. Speliotis of Danvers.

Guests of the House.

Subsequent to the noon recess, the Chair (Mrs. Haddad of Somerset) declared a brief recess and introduced the Wilmington High School Boys Varsity Ice Hockey Team, winners of the Division 2 Boys Varsity Ice Hockey State Championship. Mrs. Haddad then turned the gavel over to Representative Miceli of Wilmington who read and presented to Athletic Director Ed Harrison and Varsity Head Coach Steve Scalon resolutions of the House (adopted this day) congratulating the team on their championship season. They were the guests of Mr. Miceli of Wilmington. Wilmington High School boys hockey team.

Resolutions.

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

Wilmington,—
hockey team.

Resolutions (filed by Mr. Miceli of Wilmington) congratulating the 2012 Massachusetts Interscholastic Athletic Association Division 2 championship of the Wilmington High School boy's hockey team; and

Boston
Carmen's
Union.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulating the Amalgamated Transit Union ALF-CIO/CLC, Local Division 589, Boston Carmen's Union on its centennial;

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

Communication.

Bristol
County
Registry of
Deeds.

A communication from the Bristol County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Petitions.

Northborough,—
land.

Mr. Naughton of Clinton presented a petition (accompanied by bill, House, No. 4075) of Harold P. Naughton, Jr., and others (by vote of the town) for legislation to authorize the conveyance of a certain parcel of land in the town of Northborough; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Tort
claims.

Ms. Andrews of Orange presented a petition (subject Joint Rule 12) of Denise Andrews for legislation to reform the tort claims act; and the same was referred, under Rule 24, to the committee on Rules.

*Papers from the Senate.**Bills*

Vehicle
glass repair
shops.

Requiring the registration of motor vehicle glass repair shops (Senate, No. 2216, amended in section 20, in lines 154 to 156, inclusive, by striking out the following: “; provided, however, that such information may include the contact information of at least 3 duly registered motor vehicle glass repair shops located within 50 miles of the insured”) (on Senate bill No. 2189); and

Optometry.

Further regulating the practice of optometry (Senate, No. 2249) (on Senate bill No. 2135);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Pepperell,—
veterans
bridge.

A petition (accompanied by bill, Senate, No. 2253) of Eileen M. Donoghue and Sheila Harrington (by vote of the town) for legislation to

designate a certain bridge in the town of Pepperell as the veterans bridge, was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

- By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to regulate coal ash as solid waste (House, No. 1991). Coal ash,—
regulate.
- By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to third party administrators (House, No. 3599). Third party
administrators.
- By the same member, for the same committee, on House, No. 291, a Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074). Debt
management.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 1393, a Bill establishing a temporary workers right to know (House, No. 4076). Temporary
workers,—
rights.
- By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to certain employees of the Massachusetts Rehabilitation Commission (House, No. 2412) [Senator Brownsberger dissenting]. Rehabilitation
Commission.
- By the same member, for the same committee, on a petition, a Bill relative to creditable service for employees of the Commonwealth (House, No. 3474) [Senator Brownsberger dissenting]. Creditable
service.
- By the same member, for the same committee, on a petition, a Bill relative to the payment of pension benefits (House, No. 3479). Retirement
benefits,—
suspension.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 1013, a Bill relative to liquor licenses (House, No. 4077). Liquor
licenses.
- By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to the Massachusetts Water Resources Authority (House, No. 2941). Water
Resources
Authority.
- By the same member, for the same committee, on a joint petition, a Bill exempting Jeanine Bonnayer from maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (House, No. 3875) [Local Approval Received]. Ware,—
Jeanine
Bonnayer.
- By the same member, for the same committee, on a petition, a Bill providing retirement benefits for an employee of western Massachusetts communities (House, No. 3936, changed in line 2 by striking out the word “may” and inserting in place thereof the word “shall”) [Senator Brownsberger dissenting]. Wendy
Foxmyn,—
retirement.
- 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 Senate Bill authorizing the town of Essex to sell or lease certain real property at Conomo Point (Senate, No. 2246, amended) [Local Approval Received], be scheduled for consideration by the House. Essex,—
Conomo
Point.

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

Recess.

Recess.

At two minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at ten minutes after one o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair.

Emergency Measures.

Cheryl A. Cole,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid (see House, No. 3967), 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 44 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.

Karen Langley,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Karen Langley, an employee of the Executive Office of Health and Human Services (see House, No. 4028, 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 47 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 Bill.

Id.

The engrossed Bill designating a certain pedestrian bridge in the city of Revere as the Christina Markey and John Markey Memorial Pedestrian Bridge and the new maintenance facility for the Department of Conservation and Recreation located in the city of Revere as the Captain Arthur "Icy" Reinstein Memorial Maintenance Facility (see House, No. 3955) (which originated in the House), having been certified by the Clerk to 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.

Matter Discharged from the Orders of the Day.

The House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4071), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Supplemental
appropriations.

After remarks on the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following two sections:

“SECTION 5. Subjection (l) of section 3 of chapter 23K, as appearing in section 16 of chapter 194 of the Acts of 2011, is hereby amended by striking, after the words ‘The commission’, the word ‘may’, and inserting, in place thereof, the word ‘shall’; and further, by inserting, in said subsection of said chapter, after the words ‘to conduct a credit’, the word:— and background.

SECTION 6. Subjection (m) of section 3 of chapter 23K, as appearing in section 16 of chapter 194 of the Acts of 2011, is hereby amended by adding, at the end thereof, the following:— The commission shall, at all times, strive to avoid impropriety and the appearance of impropriety in all matters under their jurisdiction and shall require all staff and personnel subject to their direction and control to observe the same standards of fidelity and diligence.”.

After debate the amendment was adopted.

Mr. Hill of Ipswich and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 7. Subsection (c) of section 222 of chapter 111 of the General Laws, as inserted by section 6 of chapter 197 of the Acts of 2010, is hereby amended by striking subdivision (2) and inserting in place thereof the following:— (2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply, unless a public school district or board of trustees elects to apply the nutritional standards, to: competitive foods or beverages sold on school grounds up to 30 minutes before the beginning of the school day or 30 minutes after the end of the school day, with the exception of competitive foods or beverages sold through vending machines, in which case the nutritional standards shall apply at all times; or, competitive foods or beverages sold during the school day at booster sales, concession stands, and other school-sponsored or school-related fundraisers and events.

SECTION 8. Clause (iv) of subdivision (4) of subsection (c) of section 222 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking the word ‘may’ and inserting in place thereof the following:— shall.”.

After debate the amendment was adopted.

Mr. Adams of Andover then moved to amend the bill by inserting after section 3 the following section:

“SECTION 3A. \$200,000 of the \$6,000,000 appropriated for line item 7002-0012 shall be directed to Lawrence YouthBuild.”.

After remarks the amendment was rejected.

Bill passed to
be engrossed,—
yea and nay
No. 244.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Reinstein of Revere; and on the roll call 147 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 244 in Supplement.]

Therefore the bill (House, No. 4071, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Cantwell of Marshfield was spread upon the records of the House, as follows:

Statement of
Mr. Cantwell
of Marshfield.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

Orders of the Day.

Swansea
fire
department.

The engrossed Bill relative to the town of Swansea volunteer fire department (see House, No. 3996, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 4066), was considered.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment then was adopted. Sent to the Senate for its action.

Third
reading
bills.

House bills

Authorizing the town of Natick to allow a lease (House, No. 3332) (its title having been changed by the committee on Bills in the Third Reading);

Further regulating certain banking laws (House, No. 3775) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Natick to lease certain town-owned property (House, No. 3870);

Authorizing the town of Natick to lease certain town-owned property (House, No. 3871) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Kristin LaPlante, an employee of the Executive Office of Health and Human Services (House, No. 4061) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (House, No. 4065);

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.

Second
reading
bills.

The Senate Bill authorizing the town of Plymouth to make improvements on unaccepted roads (Senate, No. 1049) [Local Approval Received]; and

House bills

Relative to commercial area revitalization districts (House, No. 89);

To include fire districts (House, No. 565, changed);

Relative to regional stabilization funds (House, No. 4016);
Supporting municipal fiscal stability through a special education
stabilization fund (House, No. 4017); and
Relative to court ordered hospitalizations (House, No. 4021);
Severally were read a second time; and they were ordered to a third
reading.

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.

Mr. Peterson of Grafton then moved that the House adjourn; and the
motion prevailed. Accordingly, without further consideration of
the remaining matters in the Orders of the Day, at a quarter after two
o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House
adjourned, to meet the following day at eleven o'clock A.M., in an
Informal Session.

Thursday, May 10, 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.

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

Boston,—
Safety
Engineer's
Society.

Resolutions (filed by Mr. Dwyer of Woburn and other members of the House) congratulating the Greater Boston Chapter of the American Society of Safety Engineers on its celebration of North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day; and

Natick,—
Warren James
Bedford
Square.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) celebrating the dedication of the Warren James Bedford Square in the town of Natick;

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.

Reconsideration.

Supplemental
appropriations.

Mr. Dempsey of Haverhill asked that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4071, amended), and the motion to reconsider was entertained; and it prevailed.

The same member then moved that the vote be reconsidered by which the House adopted an amendment (offered by Mr. Hill of Ipswich), that the bill be amended by adding the following two sections:

“SECTION 7. Subsection (c) of section 222 of chapter 111 of the General Laws, as inserted by section 6 of chapter 197 of the Acts of 2010, is hereby amended by striking subdivision (2) and inserting in place thereof the following:— (2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply, unless a public school district or board of trustees elects to apply the nutritional standards, to: competitive foods or beverages sold on school grounds up to 30 minutes before the beginning of the school day or 30 minutes after the end of the school day, with the exception of competitive foods or beverages sold through vending machines, in which case the nutritional stan-

dards shall apply at all times; or, competitive foods or beverages sold during the school day at booster sales, concession stands, and other school-sponsored or school-related fundraisers and events.

SECTION 8. Clause (iv) of subdivision (4) of subsection (c) of section 222 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking the word ‘may’ and inserting in place thereof the following:— shall.”; and the motion to reconsider prevailed.

Mr. Dempsey of Haverhill then moved that the amendment (offered by Mr. Hill) be amended in section 7 and also in section 8 the first line by striking out the figures “222” and inserting in place thereof, in each instance, figures “223”. The further amendments were adopted. The amendment, as amended, then was adopted.

The bill then was passed to be engrossed. The bill (House, No. 4079, published as amended) then was sent to the Senate for concurrence.

Reports of Committees.

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

Authorizing the conveyance of certain properties by the Melrose housing authority to fund improvements to low income family housing units owned by the Melrose housing authority and to increase the number of low and moderate income family housing units in the city of Melrose (Senate, No. 2234); and

Melrose,—
housing.

Relative to planning boards. approval of subdivision plans (House, No. 86);

Subdivision
plans.

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 Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, No. 265 and House, No. 1101, a Bill regarding residential habilitation (House, No. 1101).

Residential
habilitation.

By the same member, for the same committee, on a petition, a Bill to establish an Alzheimer’s state plan commission (House, No. 2727).

Alzheimer’s
commission.

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

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 868 and House, No. 1219, a Bill to prevent unlawful and unnecessary foreclosures (House, No. 4083).

Foreclosures.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to eliminating homelessness (House, No. 2118).

Homelessness,—
elimination.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relating to comprehensive protection from childhood sexual abuse (House, No. 469).

Childhood
sexual abuse.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill providing for the conveyance of certain land by the Commonwealth of Massachusetts along I-95 (House, No. 1394).

Canton,—
land.

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

Schools,—
athletic
resources.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1939, a Bill relative to the disclosure of information of public school athletic resources and interscholastic athletic authorized representatives (House, No. 4080).

Personal
care,—
training.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, No. 268 and House, No. 599, a Bill to provide personal care attendant orientation program (House, No. 4081).

State
purchasing,—
preference.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to reducing outsourcing (House, No. 3684).

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

Engrossed Bills.

Bill
Enacted.

The engrossed Bill validating the actions taken at the annual town meeting in the town of North Andover (see House bill printed in House, No. 3665) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Supplemental
appropriations.

The House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4079), came from the Senate passed to be engrossed, in concurrence, with amendments by striking out sections 5 to 8, inclusive, and inserting in place thereof the following four sections:

“SECTION 5. Subsection (c) of section 223 of chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph:

(2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply to competitive foods and beverages sold on school grounds up to 30 minutes before the beginning of the school day or to competitive foods and beverages sold on school grounds 30 minutes after the end of the school day; provided further, that notwithstanding the foregoing, the nutritional standards shall apply at all times to competitive foods or beverages sold on school grounds through vending machines. A public school district or board of trustees may elect to apply the nutritional standards to competitive foods and beverages sold or provided on school grounds up to 30 minutes before the beginning

of the school day or to competitive foods and beverages sold or provided on school grounds 30 minutes after the end of the school day; provided, however that the nutritional standards shall not apply at any time to competitive foods or beverages sold or provided at booster sales, concession stands and other school-sponsored or school-related fundraisers and events.

SECTION 6. Said section 223 of said chapter 111, as so appearing, is hereby further amended by striking out, in line 78, the word 'may' and inserting in place thereof the following word:— shall;

SECTION 7. The first sentence of subsection (l) of section 3 of chapter 23K of the General Laws, as appearing in section 16 of chapter 194 of the acts of 2011, is hereby amended by striking out the words 'commission may' and inserting in place thereof the following words:— commission shall.

SECTION 8. Said first sentence of said subsection (l) of said section 3 of said chapter 23K, as so appearing, is hereby further amended by inserting after the word 'credit' the following words:— and background.”.

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, 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.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4079), 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.

Supplemental
appropriations.

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 2 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

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 six o'clock P.M., on motion of Mr. Wong of Saugus (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.

Monday, May 14, 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.

*Message from the Governor — Disapprovals in
Supplemental Appropriation Bill.*

Supplemental
appropriations.

Message from His Excellency the Governor returning with his disapproval of sections 3 and 4 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4079, amended] (for message, see House, No. 4086), was filed in the office of the Clerk on Friday, May 11, 2012.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Message from the Governor.

Transportation
improvements.

A message from His Excellency the Governor recommending legislation relative to further improvements to the Commonwealth's transportation system (House, No. 4084), was filed in the office of the Clerk on Thursday, May 10, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Transportation.

Resolutions.

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

Mary
Lyman.

Resolutions (filed by Mr. Arciero of Westford) congratulating Mary Lyman of Westford on being named the 2012 Person of the Year by the Westford Kiwanis Club;

Melrose,—
Soldiers, etc.
Building.

Resolutions (filed by Mr. Brodeur of Melrose) congratulating the Soldiers and Sailors Memorial Building in the city of Melrose on the centennial anniversary of its founding;

National Small
Business Week.

Resolutions (filed by Representatives Forry of Boston and Benson of Lunenburg) honoring the entrepreneurial spirit of small businesses in the Commonwealth and nationally during the annual observance of National Small Business Week; and

Boston
College,—
hockey
team.

Resolutions (filed by Mr. Honan of Boston and other members of the House) congratulating the Boston College Men's Ice Hockey team for winning the 2012

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 Mr. Smizik of

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

Order.

The following order (filed by Mr. Speliotis of Danvers) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Thursday, May 17, 2012, within which to make its final report on current House documents numbered 102, 116, 1004, 1006, 1016, 1027, 1029, 1850, 1877, 1882, 1883, 1893, 2027, 3266, 3348, 3404, 3405, 3498, 3677, 3760, 3851, 3903, relative to professional licensure related issues in the Commonwealth.

Consumer Protection and Professional Licensure committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill relative to the oversight of private occupational schools (House, No. 3625, 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 2159, amended in section 5, in line 32, inserting after the word “citizens” the words “and residents”; in line 35, inserting after the word “staff” the words: “, as defined by the division,”; in lines 33 and 34, striking out the words “provided, that the division shall adopt a procedure for managing decisions relative to curriculum, instructors, and staff,”; in line 35, inserting after the word “schools,” the words: “provided, that the division shall adopt and publish reconsideration procedures for decisions relative to curriculum, instructors and staff,”; in line 106, inserting after the word “refusal.” (as changed by the Senate committee on Bills in the Third Reading) the following two sentences: “Any such denial shall be considered an initial decision and not final until after the applicant has been provided at least 10 business days to supply, to the director, a reconsideration petition with additional information or documentation in further support of the application. The division shall adopt and publish regulations establishing timely reconsideration procedures.”; in line 224, inserting after the word “operations” the following: “or a determination of its status under subsection (c)” and in line 224, inserting after the word “actions” the words “and state its reasons in writing for such action.”

Private occupational schools.

Under suspension of Rule 35, on motion of Mr. Sannicandro of Ashland, 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 following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Consumer Protection and Professional Licensure committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Thursday, May 17, 2012 within which to make its final report on current Senate documents numbered 103, 104, 105, 127, 1943 and 2049, relative to consumer protection and professional licensure.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Elder Affairs committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Elder Affairs be granted until Saturday, June 30, 2012 within which to make its final report on current Senate documents numbered 275, 278 and 282 and current House documents numbered 1096 and 1097, relative to elder affairs.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Environment, Natural Resources and Agriculture committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Friday, June 15, 2012 within which to make its final report on current Senate documents numbered 353, 360, 371, 1686 and 1854 and current House documents numbered 251, 253, 267, 1142, 1146, 1159, 1163, 1166, 1170, 1990, 2751, 3276, 3407 and 3669, relative to environment, natural resources and agriculture issues.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

The Judiciary committee,—extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, June 8, 2012 within which to make its final report on current Senate documents numbered 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 679, 680, 681, 682, 683, 684, 685, 686, 689, 691, 693, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 729, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 821, 822, 823, 824, 825, 826, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852,

853, 854, 855, 856, 857, 858, 859, 860, 862, 863, 864, 865, 866, 867, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 976, 1227, 1712, 1859, 1860, 1861, 1862, 1953, 2012, 2040, 2061 and 2160, relative to the judiciary.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Wednesday, June 20, 2012 within which to make its final report on current Senate documents numbered 1197 and 1199 and current House document numbered 2909, relative to criminal justice training.

Public Safety and Homeland Security committee,—extension of time for reporting.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Wednesday, June 20, 2012 within which to make its final report on current Senate documents numbered 1210 and 1251 and current House documents numbered 648, 660, 1550, 1553, 1558, 2406, 3371 and 3548, relative to fire prevention systems.

Id.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Friday, June 1, 2012 within which to make its final report on current Senate documents numbered 1485 and 1521, relative to revenue.

Revenue committee,—extension of time for reporting.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, June 15, 2012 within which to make its final report on current Senate documents numbered 1650, 1673, 1681 and 1693, relative to bottle deposit law expansion.

Telecommunications, Utilities and Energy committee,—extension of time for reporting.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Telecommunications, Utilities and Energy committee,—
extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Telecommunications, Utilities and Energy be granted until Friday, June 15, 2012 within which to make its final report on current Senate documents numbered 1656 and 1670, relative to telecommunications, utilities and energy.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Transportation committee,—
extension of time for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012 within which to make its final report on current Senate documents numbered 1728, 1730, 1733, 1757, 1762, 1778, 1793, 1797, 1801, 1802, 1804, 1805, 2024 and 2041, relative to transportation matters.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Id.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012 within which to make its final report on current Senate documents numbered 1746, 1780, 1792 and 1798, relative to transportation matters.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Id.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012 within which to make its final report on current Senate document numbered 2171, relative to transportation matters.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Id.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012 within which to make its final report on current Senate documents numbered 2218, relative to transportation matters.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted, in concurrence.

A Bill relative to regional 911 emergency communications districts (Senate, No. 2248, amended in line 1 by striking out the figure “7” and inserting in place thereof the figure “8”, in lines 2, 18, 65 and 74 by striking out the following “18S” and inserting in place thereof, in each instance, the following: “18T”, in line 27 by striking out the word “center’s” and inserting in place thereof the word “district’s”, by inserting after line 61 the following paragraph:

911 emergency communications districts.

“(viii) that the district board may designate 1 or more of its members to approve payrolls or bills for salary or compensation of district board members or employees; provided, however, that the member or member approving such payroll or bill shall make available to the board at its next meeting the record of that action.”, in lines 71 and 72 by striking out the following: “within 45 days of such recommendation”, in line 113 by striking out the figures “30” and inserting in place thereof the figures “60”; in lines 139 to 150, inclusive, by striking out the text contained in those lines and inserting in place thereof the following paragraph:

“Section 18Q. The regional 911 emergency communication district board shall annually determine the necessary amounts to maintain and operate the district during the ensuing fiscal year and the amounts required to pay any debt and interest incurred by the district. The district board shall apportion the amount so determined among the member municipalities in accordance with the terms of the district agreement. The amounts apportioned for each member municipality shall be certified by the district treasurer to the chief executive officers, board of assessors and treasurers of the participating municipalities not later than February 1st annually, and the amounts so certified shall be appropriated and paid to the district treasurer at the times specified in the district agreement. If any participating municipality fails to include any apportioned amount so certified in its appropriations for the fiscal year, the board of assessors shall raise the amount in the tax levy of that year under section 23 of chapter 59.”; in line 158 to 161, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “Upon the completion of each audit, the district board shall forward a copy of the audit to the mayor, the chairman of the board of selectmen or town council of each member municipality, the finance advisory subcommittee, the state auditor, the state 911 department and the division of local services.”; in line 180 by striking out the figures “60” and inserting in place thereof the figures “44”; and by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to maximize forthwith effective emergency and 911 dispatch services as well as regional interoperability for the citizens of the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.”) (on Senate bill No. 2037), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

The following notice was received from the Clerk of the Senate, to wit:—

May 11, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

Senate
committee
appointments.

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced, after a caucus of the majority party in the Senate, the following appointments:

Senator Jennifer Flanagan —
Vice Chair, Senate Committee on Ways and Means.
Senator Benjamin B. Downing —
Chair, Senate Committee on Steering and Policy.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Veterans,—
opportunity.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the Senate Bill relative to veterans' access, livelihood, opportunity and resources (Senate, No. 2254) and the recommended House text (see House document numbered 4088) (for order, see House, No. 4091). The order was considered forthwith; and it was adopted.

Foreclosures.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill to prevent unlawful and unnecessary foreclosure (House, No. 4083) and the recommended substitute bill (see House No. 4087) (for order, see House, No. 4092). The order was considered forthwith; and it was adopted.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Clifton
Watson,—
sick leave.

Petition (accompanied by bill) of James E. Vallee for legislation to establish a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles. To the committee on Public Service;

Farmers'
markets,—
property
taxes.

Petition (accompanied by bill) of George T. Ross and others for legislation to exempt farmers' markets from certain property taxes. To the committee on Revenue.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on Senate, No. 134 and House, No. 1066, a Bill to form a commission on for-profit colleges, universities, and proprietary schools (House, No. 4085). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. For profit colleges, etc.—study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill establishing paid family leave (House, No. 49). Paid family leave.

By Mr. Sánchez of Boston, for the committee on Public Health, on Senate, No. 1076 and House, No. 1484, a Bill relating to safe patient handling in certain health facilities (House, No. 1484). Patients,—safety.

By the same member, for the same committee, on House, Nos. 1489 and 3364, a Bill requiring pain assessment and management in health-care facilities (House, No. 1489). Healthcare facilities.

By the same member, for the same committee, on a petition, a Bill to improving access to eye and vision care in rural and underserved areas of the Commonwealth (House, No. 1496). Eye and vision care.

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

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to establish case-loads at the Department of Children and Families (House, No. 1861). Caseloads.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to unemployment insurance (House, No. 530). Unemployment insurance.

By the same member, for the same committee, on a petition, a Bill clarifying parental rights to unpaid leave (House, No. 1409). Unpaid leave.

By the same member, for the same committee, on a petition, a Bill further defining comparable work (House, No. 1415). Comparable work.

By the same member, for the same committee, on a petition, a Bill establishing uniform wage compliance and recordkeeping (House, No. 2875). Uniform wage compliance.

By the same member, for the same committee, on a petition, a Bill to provide further transparency in public construction (House, No. 3232). Public construction.

By the same member, for the same committee, on a petition, a Bill to limit indemnity and insurance responsibility for general contractors and subcontractors in construction work (House, No. 3547). Construction,—insurance.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on a joint petition, a Bill relative to the transfer of land in the town of Sharon (House, No. 3794) [Local Approval Received]. Sharon,—land.

By Mr. Vallee of Franklin, for the committee on Veterans and Federal Affairs, on a petition, a Bill returning the payment of bonuses to soldiers during the Persian Gulf War to the Treasurer's office (House, No. 3100). Soldiers,—payment of bonuses.

By the same member, for the same committee, on a petition, a Bill relative to the establishment of a Train Vets to Treat Vets Fund (House, No. 3424). Train Vets to Treat Vets Fund.

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

Soccer players,—
headgear.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 235 and House, No. 1075, a Bill relative to protective headgear for soccer players (House, No. 4082).

Collective bargaining.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to collective bargaining agreements (House, No. 1402).

Restrooms,—
access.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to public access of private restrooms (House, No. 2366).

Wendell,—
energy and sanitation.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill authorizing the town of Wendell to provide for alternative energy and sanitation systems (House, No. 3534) [Local Approval Received].

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

Lawrence,—
health insurance.

Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to health insurance benefits in the city of Lawrence (House, No. 3857), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Motor vehicle dealers.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill further regulating business practices between motor vehicle dealers, manufacturers, and distributors (Senate, No. 2162), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Massworks infrastructure program.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing the Massworks infrastructure program (House, No. 3619), ought to pass with an amendment substituting a bill with the same title (House, No. 4090).

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 3863),— and the amendment recommended by the committee on Ways and Means, pending.

Veterans.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to veterans' access, livelihood, opportunity, and resources (Senate, No. 2254), 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 4088). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2254, amended) was ordered to a third reading.

By the same member, for the same committee, that the Bill relative to clear and conspicuous price disclosure (House, No. 3491), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4089). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Price disclosure.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House. Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to prevent unlawful and unnecessary foreclosures (House, No. 4083), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4087). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Foreclosures.

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

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

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

Senate bills

Relative to rock wall climbing safeguards (Senate, No. 1217, amended); Rock walls.

Designating a certain bridge in the town of Barre as the Purple Heart Bridge (Senate, No. 1724); Barre,—
bridge.

Designating a certain bridge in the city of Boston as the Honorable Francis X. Coppinger Bridge (Senate, No. 1787); Francis X. Cop-
pinger Bridge.

Designating a certain bridge in the city of Boston as the Honorable Charles Doyle Bridge (Senate, No. 1788); Charles Doyle
Bridge.

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (Senate, No. 2169); DiDonato
Highway.

Designating the birthplaces of Michael Bartlett and Dr. Elliot P. Joslin in the town of Oxford (Senate, No. 2232); and Oxford,—
birthplaces.

House bills

Relative to insurance surcharges (House, No. 2058); Insurance.

To provide landowner's title protection (House, No. 2794); Title protection.

Prohibiting robocalls to all mobile telephone devices (House, No. 4073); Robocalls.

and

Relative to liquor licenses (House, No. 4077); Liquor
licenses.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bill.

Bill
re-enacted.

The engrossed Bill relative to the town of Swansea volunteer fire department (see House, No. 3996, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, May 16, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Statement of Representative Parisella of Beverly.

A statement of Mr. Parisella of Beverly was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will be unable to be present in the House Chamber for the remainder of today's sitting due to official business outside of the Commonwealth. My missing of roll calls today will be due entirely to the reason stated. Statement of Mr. Parisella of Beverly.

Statement Concerning Representative Lyons of Andover.

A statement of Mr. Jones of North Reading concerning Mr. Lyons of Andover was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Lyons of Andover, was unable to be present in the House Chamber for the sitting of Wednesday, April 11, and is also unable to be present in the House Chamber for today's sitting due to medical reasons. His missing of roll calls 214 and 215 on April 11 and any roll calls that may be held today is due entirely to the reason stated. Statement concerning Mr. Lyons of Andover.

Guests of the House.

During the session, the Speaker took the Chair and introduced the National College Hockey Champion Boston College Eagle's hockey team with their coaches, Head Coach Jerry York, Associate Coach Mike Cavanaugh and Assistant Coach Greg Brown. The Speaker also acknowledged the presence of former Representative Sherman W. "Whip" Saltmarsh, Jr., of Winchester, a former member of the team and a member of the Boston College Hockey Hall of Fame. Mr. Honan then took the Chair and presented to the coach previously adopted resolutions of the House commending the team on their championship season. Coach York then addressed the House briefly. The team, coaches and Mr. Saltmarsh were the guests of the Speaker and all of the Boston College alumni members of the House. Boston College Eagles,—
2012
College Hockey
National Champions.

Resolutions.

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

Barry
Cahill.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Barry Cahill on the occasion of his retirement;

Cheryl Forster-
Cahill.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Cheryl Forster-Cahill on the occasion of her retirement;

Nick
Basinas.

Resolutions (filed by Mr. Arciero of Westford) honoring Nick Basinas as the Westford Kiwanian of the Year;

Lois May
Reed.

Resolutions (filed by Representatives D'Emilia of Bridgewater and O'Connell of Taunton) congratulating Lois May Reed on the occasion of her one hundredth birthday; and

David
Luberoff.

Resolutions (filed by Mr. Sánchez of Boston and other members of the House) honoring David Luberoff and his many accomplishments as Executive Director of the Rappaport Institute for Greater Boston;

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 Mr. Linsky of Natick, 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:

Juries.

By Ms. Haddad of Somerset, a petition (subject to Joint Rule 12) of Patricia A. Haddad relative to juries.

John Kelley,—
sick leave
bank.

By Mr. Vallee of Franklin, a petition (subject to Joint Rule 12) of James E. Vallee for legislation to establish a sick leave bank for John Kelley, an employee of the Department of Correction.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Monroe
State Forest,—
easements.

The Senate Bill relative to an exclusive and perpetual easement within Monroe State Forest (Senate, No. 1988, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3755, amended; and striking out the title and inserting in place thereof the following title: "An Act authorizing the Commissioner of Capital Asset Management and Maintenance to grant easements within Monroe State Forest."), with a further amendment, striking out section 1 (inserted by amendment by the House) and inserting in place thereof the following section:

"SECTION 1. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may grant permanent easements over, under and through portions of certain parcels of land in the Monroe State Forest in the town of Monroe, to Iberdrola Renewables, LLC and Massachusetts Electric Company d/b/a National Grid, their successors and assigns, for the purposes of clearing vegetation and the installation, operation, and maintenance of poles, guy wires, anchors, and equipment in connection with the construction, operation and maintenance of an electrical tie line for a wind power facility, subject to sections 3 and 4, and subject to such reasonable additional terms and conditions consistent with

this act as the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may prescribe. The parcels are more particularly described in a deed to the Commonwealth of Massachusetts recorded in the Franklin county registry of deeds in book 690, page 231. The permanent easements to be granted shall apply to 6,400 square feet of land in the aggregate, more or less, as more fully described on certain plans titled 'Hoosac Wind Project/Distribution Line Tie-In,' prepared by Westwood Professional Services, Inc., numbered Sheets 1 through 5 of 5, and dated 12/15/11, as filed with the department of conservation and recreation; provided, however, that the plans shall also indicate certain clearing mitigation areas which are not part of the permanent easement. Modifications to the easement description set forth in the plans described above may be made in order to conform with a final land survey, as accepted by the division and the department, before any grant of easements to carry out this act."

Under suspension of Rule 35, on motion of Ms. Cariddi of North Adams, the further 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.

By Mr. Sánchez of Boston, for the committee on Public Health, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 1469) of Christine E. Canavan and others relative to the establishment of a nursing advisory board within the Executive Office of Health and Human Services;

Nursing advisory board.

Of the petition (accompanied by bill, House, No. 2352) of Bradley H. Jones, Jr., and others relative to prescription drug coupons; and

Prescriptions,—coupons.

Of the petition (accompanied by bill, House, No. 2383) of David B. Sullivan and others relative to coupons of manufacturers submitted to health care insurers;

Id.

And recommending that the same severally be referred to the committee on Health Care Financing.

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 Senate Bill further regulating business practices between motor vehicle dealers, manufacturers, and distributors (Senate, No. 2162), be scheduled for consideration by the House.

Vehicles,—business practices.

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.

Reports

Of the committee on Municipalities and Regional Government, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill House, No. 3937) of John V. Fernandes and Richard T. Moore (by vote of the town) authorizing the town of Hopedale to allow direct deposit of receipts into certain funds; and

Hopedale,—direct deposits.

Northampton,—
charter.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill House, No. 4001) of Stanley C. Rosenberg and Peter V. Kocot (with the approval of the mayor and city council) for legislation to establish a charter for the city of Northampton;

Under suspension of the rules, in each instance, on a motion of Mr. Kane of Holyoke, the reports severally were considered forthwith.

Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on further motion of the same member.

Prescription
drugs,—
disposal.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, Nos. 595, 2364, 3296, 3365 and 3366, a Bill relative to safe disposal of prescription drugs (House, No. 3296). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Economic
growth.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on House, Nos. 1902, 2708 and 3830, a Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Emergency Measure.

Private
occupational
schools.

The engrossed Bill relative to oversight of private occupational schools (see House, No. 3625, 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 4 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 Bill.

Bill
enacted.

The engrossed Bill amending the charter of the town of Harwich (see House, No. 3503, changed) (which originated in the House), 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.

Recess.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at nineteen minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair.

Orders of the Day.

The Senate Bill authorizing the town of Essex to sell or lease real property at Conomo Point (Senate, No. 2246), 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.

Third reading bill.

Senate bills

Relative to rock wall climbing safeguards (Senate, No. 1217, amended);

Second reading bills.

Designating a certain bridge in the town of Barre as the Purple Heart Bridge (Senate, No. 1724);

Designating a certain bridge in the city of Boston as the Honorable Francis X. Coppinger Bridge (Senate, No. 1787);

Designating a certain bridge in the city of Boston as the Honorable Charles Doyle Bridge (Senate, No. 1788);

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (Senate, No. 2169); and

Designating the birthplaces of Michael Bartlett and Dr. Elliot P. Joslin in the town of Oxford (Senate, No. 2232); and

House bills

Relative to insurance surcharges (House, No. 2058);

To provide landowner's title protection (House, No. 2794);

Prohibiting robocalls to all mobile telephone devices (House, No. 4073); and

Relative to liquor licenses (House, No. 4077);

Severally were read a second time; and they were ordered to a third reading.

The Senate Bill relative to veterans' access, livelihood, opportunity and resources (Senate, No. 2254, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Veterans' resources.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Chan of Quincy moved to amend it by adding the following two sections:

“SECTION 22. Section 6B of the General laws is hereby amended by lines 18, 26 and 33 by striking out figures ‘2,000’ and inserting in place thereof the following figures:— 2,500.

SECTION 23. Section 22 shall go into effect July 1, 2013.”.

The amendment was rejected.

Ms. Story of Amherst then moved to amend the bill by adding the following section:

“SECTION 22. Section 5 of Chapter 188 of the General Laws is hereby amended by inserting at the end thereof the following new subsection:—

(e) The declaration of homestead shall record whether the owner to be benefitted is a servicemember who may be subject to protection under the Servicemembers Civil Relief Act, 50 U.S.C. App. § 533 should the owner be called to active duty.”.

The amendment was adopted.

Veterans'
resources.

Mr. Dempsey of Haverhill then moved to amend the bill in section 18, in lines 874, 875 and 876, by striking out the following: “review and analyze the employment processes and procedures of cities and 874 towns, veterans’ services districts and the county of Dukes County with respect to veterans. 875 benefits and services officers; (v) analyze and project costs associated with each of these items; and (iv)”.

The amendment was adopted.

Messrs. Jones of North Reading and Torrissi of North Andover then moved to amend the bill by adding the following section:

“SECTION 23. Clause Twenty-second A of section 5 of chapter 59 of the General Laws, as so appearing, is hereby amended by adding the following sentence:— No person who has received an exemption under this clause shall be denied the benefit of said exemption because such person returns to active service.”.

The amendment was adopted.

Mr. Naughton of Clinton then moved to amend the bill by adding the following two sections:

“SECTION 24. Section 40N of Chapter 7 of the general laws, as appearing in the 2010 Official Edition, is hereby amended, in line 21, after the words ‘minority-owned businesses’, by striking out the word ‘and’ and inserting in place thereof: ‘,’; and further, in line 21, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 75, after the words ‘director of the’, by striking out the words ‘state office of minority and women business assistance, may’ and inserting in place thereof: ‘supplier diversity office, shall’; and further, in line 77, after the words ‘minority-owned’, by striking out the word ‘and’ and inserting in place thereof: ‘businesses,’; and further, in line 78, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 80, after the words ‘minority-owned’, by striking out the word ‘and’ and inserting in place thereof: ‘businesses,’; and further, in line 80, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 82, after the words ‘minority-owned business’, by striking out the word ‘and’ and inserting in place thereof: ‘,’; and further, in line 83, by inserting after the word ‘business’, the following: ‘and service-disabled veteran-owned small business’; and further, in line 84, after the words ‘minority-owned businesses’, by striking out the word ‘and’ and inserting in place thereof: ‘,’; and further, in line 84, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 89, after the words ‘minority-owned businesses’, by striking out the word ‘and’ and inserting in place thereof: ‘,’; and further, in line 89, after the word ‘the’, by striking out the words ‘state office of minority and women business assistance’ and inserting in place thereof: ‘supplier diversity office’; and further, in line 92, after the words ‘minority-owned businesses’, by striking out the word ‘and’ and inserting in place thereof: ‘,’; and further, in line 92, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 94, after the words ‘minority-owned businesses’, by striking out the word ‘and’ and inserting in

place thereof: ‘;’; and further, in line 94, by inserting after the words ‘women-owned businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 95, after the word ‘of’, by striking out the word ‘SOMWBA’ and inserting in place thereof: ‘SDO’.

SECTION 25. Section 61 of Chapter 7 of the general laws, as appearing in the 2010 Official Edition, is hereby amended, in line 80, after the words ‘minority-owned’, by striking out the word ‘and’ and inserting in place thereof: ‘businesses, ; and further, in line 80, by inserting after the word ‘businesses’, the following: ‘and service-disabled veteran-owned small businesses’; and further, in line 82-83, after the words ‘minority-owned’, by striking out the word ‘and’ and inserting in place thereof: ‘business,;’; and further, in line 83, by inserting after the word ‘business’, the following: ‘and service-disabled veteran-owned small business’; and further, in line 84-85, after the word ‘minority-owned business’, by striking out the word ‘and’ and inserting in place thereof: ‘;’; and further, in line 85, by inserting after the words ‘women-owned business’, the following: ‘and service-disabled veteran-owned small business’; and further, in line 86, after the word ‘businesses’, by striking out the word ‘and’ and inserting in place thereof: ‘;’; and further, in line 87, by inserting after the word ‘businesses’, the following:— and service-disabled veteran-owned small businesses.”.

The amendment was rejected.

Representatives Naughton of Clinton and Dykema of Holliston then moved to amend the bill in section 16, in line 824, by striking out the word ‘clinical’; in section 19, in line 898, and also in section 20, in line 907, by inserting after the word “services”, in each instance, the following: “and a representative from an institution of higher education with an expertise in veteran mental health assessment and treatment”; and by adding the following three sections:

“SECTION 24. Whereas, the Governor’s Advisory Council on Veterans’ Services reviews the current state and federal resources available to veterans while also working to develop new proposals to assist veterans; and

Whereas the General Court requested in 2010 a report on the effectiveness and efficiency of establishing a program of behavioral health career development for returning veterans in conjunction with the Massachusetts School of Professional Psychology under a Federal Yellow Ribbon Program of scholarship entitled, Train Vets to Treat Vets to respond to the Special Commission to Study and Investigate the Hidden Wounds of War on Massachusetts Service Members’ 2009 report examining the mental health effects of war upon returning Massachusetts service members, identifying best practices in the delivery of services to veterans and addressing the barriers to accessing these services, while it described the severity and incidence of mental health issues for returning veterans;

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follows:

SECTION 25. Chapter 10 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting the following new section:—

Veterans'
resources.

Section 35PP. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Train Vets to Treat Vets Fund. The fund shall consist of monies paid to the registrar of motor vehicles pursuant to the nineteenth paragraph of section 2 of chapter 90, together with any interest or earnings accrued through investment or deposit. The state treasurer shall be custodian of the fund and shall receive, deposit and invest all monies transmitted to him under this section in accordance with sections 34, 34A and 38 of chapter 29 in such a manner as to secure the highest rate of return available consistent with the safety of the fund, and shall credit interest and earnings on the trust fund corpus to the trust fund. The state treasurer shall transfer funds, at the request of the council, from the income and receipts of the fund to the Governor's Advisory Council on Veterans Services established by Executive Order #483 in April of 2007. The council shall award and administer grants from the fund, without further appropriation, to community-based programs in clinical service partnership with institution(s) of higher education providing scholarship, career development and support for the formal education of veterans to work with veterans and their families in the provision of culturally competent behavioral health, clinical counseling and support services. The council shall develop, in conjunction with the Department of Veterans Services, written criteria for the awarding of those grants, which shall be evaluated and revised as necessary. For purposes of this section the word "veteran" shall have the same meaning as that defined in clause Forty-third of section 7 of chapter 4 of the General Laws. The council shall file a report detailing the amount of funds collected and expended from the fund along with a copy of the written criteria used to expend funds to the house and senate committees on ways and means not later than April 15 of each calendar year. An amount not to exceed 5 per cent of the total funds deposited in the fund may be expended by the council for administrative costs directly attributable to the grants and programs funded by the fund, including, but not limited to the costs of clerical and support personnel. Any unexpended balance of monies in the fund at the end of the fiscal year shall not revert to the General Fund but shall remain available for expenditure from such fund in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during the fiscal year.

SECTION 26. Section 2 of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the eighteenth paragraph the following new paragraph:—

The registrar shall furnish to owners of private passenger motor vehicles and motorcycle veteran and military special plates issued and renewed without charge, information about the purpose of the Train Vets to Treat Vets Fund upon registration or renewal presentation by the applicant or surviving spouse to the registrar. The applicant or surviving spouse may elect to contribute an amount to the Train Vets to Treat Vets Fund consistent with donations by non-veteran or non-military special plate registrants to charitable organizations identified on these special plates and if they do so elect, shall retain a distinctive Train Vets to Treat Vets Fund emblem for their private passenger motor vehicle or motorcycle veteran and military special plate use

upon payment of the registration donation amount established by the registrar.”.

The amendments were rejected.

Mr. Naughton then moved to amend the bill by adding the following section:

“SECTION 24. Section 7 of Chapter 132A of the General Laws, as appearing in the 2010 official edition is hereby amended in line 9 after the word ‘control,’ the following:— provided that service members on active duty and their families may be exempted from payment of fees and other charges within State Parks.”.

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 24. Section 7 of chapter 4 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:—

Fifty-ninth, ‘Active Duty’ as used in section 2 of chapter 90 shall mean full-time duty in active military service of the army, navy, marine corps, coast guard or air force of the United States, but shall not include active duty being served for the purpose of training as a reservist in the army national guard or air national guard.

SECTION 25. Section 2 of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting, after the word ‘registration,’ in line 423, the following new paragraph:—

The registrar shall furnish, upon request, to owners of private passenger motor vehicles and motorcycles who are residents of the state and serving in active duty as defined in clause fifty-ninth of section 7 of chapter 4 and upon presentation of evidence deemed satisfactory by the registrar, a distinctive emblem to be affixed to the plate that identifies the branch of the armed services in which such owner serves. The registrar may charge a fee directly attributable to the cost of issuance of such emblem, provided however that this fee shall not exceed \$35. Any member of the armed forces who is dishonorably discharged shall return such plates to the registrar not later than 30 days after such discharge. The registrar shall not renew the license plate of a dishonorably discharged armed forces member until confirming that the distinctive emblem is not affixed to the plate.”.

The amendment was adopted.

Mr. Binienda of Worcester then moved to amend the bill by inserting after section 4 the following section:

“SECTION 4A. Section 35CC of Chapter 10 of the General Laws, as so appearing in the 2010 Official Edition, is hereby amended by striking out in line 14 the figure ‘75,000’ and inserting:— 100,000.”.

The amendment was adopted.

Messrs. Brodeur of Melrose and Parisella of Beverly then moved to amend the bill in section 10, in lines 720 and 727, by inserting after the word “question.”, in each instance, the following sentence: “The secretary of administration shall provide a waiver of payment of any amount constituting an entry fee for any applicant making application pursuant to this section.”.

The amendments were adopted.

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resources.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 6, in lines 39 and 46, by inserting before the word “policies”, in each instance, the word “written”.

The amendments were adopted.

Mr. D’Emilia of Bridgewater and other members of the House then moved to amend the bill by inserting after section 10 the following section:

“SECTION 10A. Chapter 147 of the General Laws, as so appearing, is hereby amended by inserting after section 61 the following new section:—

Section 62. (a) The commissioner shall coordinate and adopt a uniform policy within the department to accept, upon presentation of satisfactory evidence by an applicant for certification or licensure under the authority of the department, education, training, or service completed by an individual as a member of the armed forces, as defined in clause 43 of section 7 of chapter 4, or the United States military reserves toward the qualifications required to receive the license or certification in question.

(b) Notwithstanding any general or special law to the contrary, if a licensee or certificate holder, who received a license or certificate under the authority of the department, is engaged in active service in the armed forces of the United States, as defined in clause 43 of section 7 of chapter 4, the license or certification held by a licensee or certificate holder shall remain valid until the licensee or certificate holder is released from active duty and for a period of not less than ninety days following said release.

(c) Notwithstanding any general or special law to the contrary, the commissioner shall establish a procedure within the department to, upon the presentation of satisfactory evidence by an applicant for certification or licensure under the authority of the department, expedite the issuance of a license or certification for a person: (i) who is certified or licensed in a state other than Massachusetts; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to Massachusetts; and (iv) who left employment to accompany their spouse to Massachusetts. The procedure shall include, but not be limited to: (i) issuing said person a license or certificate, if, in the opinion of the department, the requirements for licensure or certification of such other state are substantially equivalent to those required in Massachusetts; or (ii) issuing said person a temporary license or certificate to allow said person to perform services while completing any specific requirements that may be required in Massachusetts but were not required in the state in which said person was licensed or certified.

(d) The commissioner and the department shall adopt all necessary rules, regulations, and procedures to implement the provisions of this section, effective January 1, 2013.”

The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill by adding the following section:

“SECTION 26. Section 26 of Chapter 31 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended in paragraph 1 by inserting at the end thereof the following sentence:— Veteran’s

preference is absolute. All eligible lists of disabled veterans, veterans, or widows or widowed mothers of veterans who were killed in action or died from a service connected disability incurred in wartime service must be exhausted on a certified list before another selective certification can be established.”.

The amendment was adopted.

Mrs. O’Connell of Taunton then moved to amend the bill by inserting after section 11 the following section:

“SECTION 11A. Section 46A of chapter 114 of the General Laws, as so appearing, is hereby amended by striking the first sentence in the second paragraph and inserting in the place thereof, the following sentence:— A certified copy of the affidavit shall forthwith be transmitted by the undertaker or other person authorized to make such burial or disposition, within 30 days of the burial or disposition, to the veterans’ agent or part-time veterans’ agent of the city or town of burial or other disposition of the body. Upon receipt of such certified copy, said veterans’ agent or part-time veterans’ agent shall forthwith transmit the certified copy to the veterans’ graves officer, appointed under section nine of chapter one hundred and fifteen, of the city or town of burial or other disposition of the body.”; and by adding the following section:

“SECTION 27. Notwithstanding any general or special law to the contrary, the board of registration of funeral directors and embalmers shall adopt and promulgate all necessary rules, regulations, and procedures to implement the provisions of section 46A of chapter 114 of the General Laws including, but not limited to, regulations ensuring that the undertaker or other person authorized to make such burial or disposition of the body of a deceased veteran, known to be such, shall notify the veterans’ agent or part-time veterans’ agents, as defined pursuant to section 1 of chapter 115, of the city or town of burial or other disposition of the body. In developing such rules and regulations, the department shall consult with the department of veterans’ services.”.

The amendments were adopted.

Mr. Rogers of Norwood then moved to amend the bill in section 16, after line 840, by adding the following subsection:

“Section 12. Notwithstanding any special or general law to the contrary, a pilot project known as the ‘Veterans Court’ program shall be established and administered within the Trial Court in the county of Norfolk; provided however, the chief justice of the District Court shall report findings on said program to the House and Senate committees on Ways and Means and the Joint Committee on the Judiciary on or before June 30, 2013.”.

The amendment was adopted.

Ms. Dykema of Holliston and other members of the House then moved to amend the bill by adding the following section:

“SECTION 28. Chapter 59 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after Section 5M, the following new section:—

Section 5N. In any city or town which accepts the provisions of this section, the board of selectmen of a town or in a municipality having a town council form of government, the town council or the mayor with the approval of the city council in a city may establish a program to allow persons who are veterans, as defined in clause forty-third of

Veterans'
resources.

section 7 of chapter 4, to volunteer to provide services to such city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of such veteran on his tax bills and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled and no such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction nor shall the reduction of the real property tax bill exceed \$1000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of such record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of such record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. Such cities and towns shall have the power to create local rules and procedures for implementing this section in any way consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace existing staff.

In no instance shall the amount by which a person's property tax liability is reduced in exchange for the provision of services be considered income, wages, or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the general laws, but such person while providing such services shall be considered a public employee for the purposes of chapter 258, but such services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1000."

The amendment was adopted.

Mr. Lombardo of Billerica then moved to amend the bill by adding the following section:

"SECTION 29. Section 9 of Chapter 15A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'tuition' in line 128, the following words:— ; provided, however, that any veteran of the United States armed services shall be considered Massachusetts residents for the purpose of admission and tuition expenses for any Massachusetts state college, community college, or state university under the following conditions: the veteran was honorably discharged from the U.S. armed services after at least one year of active service, excluding time spent at a military service academy; the veteran designates Massachusetts as his/her intended domicile, moves to Massachusetts for the purpose of establishing residency, and successfully establishes residency in Massachusetts within one year of matriculation in a Massachusetts public institution of higher learning."

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Vallee of Franklin; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—
yea and nay
No. 245.

[See Yea and Nay No. 245 in Supplement.]

Therefore the bill (Senate, No. 2254, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (for text of House amendment, see House, No. 4095, published as amended).

The House Bill preventing unlawful and unnecessary foreclosures (House, No. 4087) (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.

Unlawful
foreclosures.

After remarks on the question on passing the bill to be engrossed, Mr. Madden of Nantucket moved to amend it in section 2, in lines 113, by inserting after the word “loan.” the following definition:

‘Foreclosure Process’, the commencement of the foreclosure process in Massachusetts which shall be deemed to commence with the sending to a borrower a default/right to cure notice in strict compliance with the requirements of section 35A of this Chapter and/or any other default notice requirement under a mortgage.”

The amendment was rejected.

The same member then moved to amend the bill in section 2, in line 139, and also in section 3 (as published), in line 272, by striking out the following: “publish notice of a foreclosure sale, as required by section 14” and inserting in place the words “commence the foreclosure process”, and in section 2, in line 159, and also in line 247, by striking out the following: “publishing a notice of a foreclosure sale, as required by section 14” and inserting in place thereof, in each instance, the words “commencing the foreclosure process”; and in section 3 (as published), in line 272, by striking out the following: “publish notice of foreclosure, pursuant to section 14” and inserting in place the words “commence the foreclosure process”. The amendments were rejected.

Mr. Madden then moved to amend the bill in section 2, in line 184, and also in lines 241 and 242; in section 3, in lines 294; and in section 4, in line 296, by striking out the words “division of banks” and inserting in place thereof, in each instance, the words “Attorney General”. The amendment was rejected.

Mr. Madden of Nantucket then moved to amend the bill in section 3 (as published) by adding the following clause:

“(g) a violation of this Section shall be considered a violation of G.L. c. 93A”.

The amendment was rejected.

The same member then moved to amend the bill in section 3 (as published), in lines 275 and 280, by inserting after the word “mortgage”, in each instance, the word “loan”. The amendment was rejected.

Mr. Madden then moved to amend the bill in section 3 (as published), in line 281, by inserting after the word “costs” the words “including its reasonable attorney’s fees”. The amendment was adopted.

Unlawful
foreclosures.

Ms. Reinstein of Revere then moved to amend the bill in section 3 (as published) by adding the following clause:

“(g) In all circumstances in which an offer to purchase either a mortgage loan or residential property is made by an entity with a tax-exempt filing status under Section 501 (c)(3) of the Internal Revenue Code, or an entity controlled by an entity with such tax exempt filing status, no Creditor shall require as a condition of sale or transfer to any such entity any affidavit, statement, agreement or addendum limiting ownership or occupancy of the residential property by the Borrower and, if obtained, such affidavit, statement, agreement or addendum shall not provide a basis to avoid a sale or transfer nor shall it be enforceable against such acquiring entity or any real estate broker, Borrower, or settlement agent named in such affidavit, statement or addendum.”.

The amendment was adopted.

Messrs. Costello of Newburyport and Honan of Boston then moved to amend the bill in section 2, in line 105, by inserting after the word “cent.” the following paragraph:

“For the purposes of this section, loans financed by the Massachusetts Housing Finance Agency, established by Chapter 708 of the Acts of 1966, as amended, and loans originated through programs administered by the Massachusetts Housing Partnership Fund Board established in Section 35 of Chapter 405 of the Acts of 1985, as amended, shall not be certain mortgage loans.”; and in said section, in line 111, by inserting after the word “creditor.” the following paragraph:

“Notwithstanding the forgoing, the bodies politic and corporate and public instrumentalities of the Commonwealth established by Chapter 708 of the Acts of 1966, as amended, and established in section 35 of Chapter 405 of the Acts of 1985, as amended, shall not be a Creditor for purposes of this section.”.

The amendments were adopted.

Mr. Costello then moved to amend the bill in section 4 (as published), in line 298, by striking out the following: “on or before December 31” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following: “within 90 days of the end of each calendar year through December 31, 2017”. The amendment was adopted.

Mr. Fallon of Malden then moved to amend the bill by inserting at the end of section 2 the following two sentences: “The affidavit shall be conclusive evidence in favor of an arm’s-length third party purchaser for value, at or subsequent to the resulting foreclosure sale, that the foreclosing party identified or referred to as the holder of the foreclosed mortgage in the affidavit has fully complied with this section and is entitled to proceed with foreclosure of the subject mortgage pursuant to the power of sale contained in the mortgage and any one or more of the foreclosure procedures authorized in this chapter. For purposes of this subsection, the term ‘arm’s-length, third party purchaser’ shall include such purchaser’s heirs, successors and assigns.”. The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 2, in line 96, by inserting after the word “time” the words “, except in the case where the mortgage loan is an open-end home equity line of credit”; and by striking out section 5 (as published) and inserting in place thereof the following section:

“SECTION 4. The law shall take effect upon its passage. Said section 2 shall not apply to such mortgages where the notice pursuant to section 35A of chapter 244 has been sent.”

The amendments were adopted.

Mr. Sciortino of Medford then moved to amend the bill in section 2, in line 223, by striking out the words “and proceed to foreclosure”, and in line 242, by inserting after the word “subsection” the following: “including the minimum requirements which constitute a good faith effort by the borrower to respond to the notice. The notice shall be similar in substance and form to the notice promulgated by the division of banks in accordance with section 35A”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow of Norfolk; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Amendments
adopted,—
yea and nay
No. 246.

[See Yea and Nay No. 246 in Supplement.]

[Mr. Kuros of Uxbridge answered “Present” in response to his name.]

Therefore the amendments were adopted.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following section:

“SECTION 5. Chapter 186 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 13A the following section:—

Section 13B. Upon a foreclosure of residential real property pursuant to chapter 244, the mortgagor of the property at the time of the foreclosure, if the dwelling is not occupied by a tenant, shall be deemed a tenant at will on a month to month basis, subject to determination by this chapter. The rent due shall be payable to the owner in advance at 1 month intervals following foreclosure. The rent due shall be the fair market rent rates established by the U.S. Department of Housing and Urban Development for the area in which the dwelling unit is located and the number of bedrooms contained in the dwelling unit, unless the parties agree to a different monthly rental amount, inclusive of heat and utilities. Notwithstanding any general or special law to the contrary, no tenant at will of such dwelling may withhold rent for noncompliance with any state or local code requirements unless the tenant has (1) notified the mortgagee in writing of the defective condition of the property and (2) established a separate bank escrow savings account for deposit of rent that otherwise would be due to the mortgagee and sent proof thereof to the mortgagee each month, or paid for the repair or replacement of any defective condition from rent that otherwise would be due to the mortgagee and sent receipts for same to the mortgagee, or both.”

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 3 members voted in the affirmative and 148 in the negative.

Amendment
rejected,—
yea and nay
No. 247.

[See Yea and Nay No. 247 in Supplement.]

[Mr. Kuros of Uxbridge answered “Present” in response to his name.]

Therefore the amendment was rejected.

Bill passed to
be engrossed,—
yea and nay
No. 248.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Costello of Newburyport; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 248 in Supplement.]

[Mr. Kuros of Uxbridge answered “Present” in response to his name.]

Therefore the bill (House, No. 4096, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measure.

Monroe
State
Forest.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant easements within Monroe State Forest (see Senate, No. 1988, amended) (which originated in the Senate), 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 51 to 0. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

Essex,—
Conomo
Point
land.

The engrossed Bill authorizing the town of Essex to sell or lease certain real property at Conomo Point (see Senate, No. 2246) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 249.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 249 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders.

The following order (filed by Mr. Kocot of Northampton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

State
Administration
and
Regulatory
Oversight,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Tuesday, July 31, 2012, within which to make its final report on current Senate documents numbered 1563, 1575, 1576 and 2053 and House documents numbered 821, 828, 1735, 1736, 1737, 1753, 2587, 3031, 3040, 3041, 3043 and 3209, relative to state administration and regulatory oversight.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Kocot, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date "Tuesday, July 31" and inserting in place thereof the date "Saturday, June 30"; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

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.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at four o'clock P.M., on motion of Mr. Frost of Auburn (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.

Thursday, May 17, 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.

Guests of the House.

Prouty
High School
cheer squad.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and turned the gavel over to Representative Gobi of Spencer, who then introduced members of the David Prouty High School cheer-leading squad. They were the guests of the Speaker and Ms. Gobi.

Resolutions.

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

Lauren
Claus.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Lauren Claus on receiving the Gold Award of the Girl Scouts of America;

Lindsey
Claus.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Lindsey Claus on receiving the Gold Award of the Girl Scouts of America;

Sean Cameron
Donovan.

Resolutions (filed by Mr. Linsky of Natick) congratulating Sean Cameron Donovan on receiving the Eagle Award of the Boy Scouts of America;

Christopher
Plimpton.

Resolutions (filed by Mr. Linsky of Natick) congratulating Christopher Lucas Plimpton on receiving the Eagle Award of the Boy Scouts of America;

Jared James
Spence.

Resolutions (filed by Mr. Linsky of Natick) congratulating Jared James Spence on receiving the Eagle Award of the Boy Scouts of America; and

Florence A.
Dunn.

Resolutions (filed by Mr. Rushing of Boston) congratulating Florence A. "Flossie" Dunn for sixty years of service to the Boston musical community;

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 Mr. Sannicandro of Ashland, 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:

Canton,—
Maresfield
Farm.

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 4103) of William C. Galvin (by vote of the town) for legislation to authorize the conveyance of a certain parcel of land in the town of Canton. To the committee on Municipalities and Regional Government.

By Representative DiNatale of Fitchburg and Senator Flanagan, a joint petition (accompanied by bill, House, No. 4104) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to the appointment of special police officers in the city of Fitchburg, notwithstanding the maximum age requirement; and

Fitchburg,—
special
police.

By Representative DiNatale of Fitchburg and Senator Flanagan, a joint petition (accompanied by bill, House, No. 4105) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to the reinstatement of certain employees of the police department of the city of Fitchburg;

Fitchburg,—
police.

Severally to the committee on Public Service.

By Representative Benson of Lunenburg and Senator Eldridge, a joint petition (accompanied by bill, House, No. 4106) of Jennifer E. Benson and James B. Eldridge (by vote of the town) for legislation to establish an energy efficiency fund in the town of Acton. To the committee on Telecommunications, Utilities and Energy.

Acton,—
energy
fund.

Severally sent to the Senate for concurrence.

Papers from the Senate.

A petition (accompanied by bill, Senate, No. 2257) of Bruce E. Tarr and Harriett L. Stanley (by vote of the town) for legislation to authorize the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply and protection purposes, having been transmitted to the State Secretary (under Section 5 of Chapter 3 of the General Laws), which had been returned to the Clerk of the Senate by said Secretary with memoranda relative thereto, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Groveland,—
solar
generating
facility.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2266) of Theresa Murray and Thomas J. Calter for legislation to establish a sick leave bank for Julie Nantais, an employee of the Department of Public Health. To the committee on Public Service.

Julie
Nantais,—
sick leave
bank.

Petition (accompanied by bill, Senate, No. 2265) of Marc R. Pacheco for legislation to designate the month of May as Blue Star Mothers Month. To the committee on the State Administration and Regulatory Oversight.

Blue Star
Mothers
Month.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of George T. Ross and others relative to continuously monitoring the entrances, exits and common areas of all facilities operated under the authority of the Department of Mental Health and the Department of Developmental Services. To the committee on Children, Families and Persons with Disabilities.

Facility,—
monitoring.

Petition (accompanied by bill) of George T. Ross and others relative to the placement of the children of corrections officers on the civil service eligibility list. To the committee on Public Service.

Corrections
officers,—
eligibility list.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Economic
growth.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4107). Referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Air
pollutants.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, Nos. 1532, 2343 and 2905, a Bill relative to the public health effects of hazardous air pollutants (House, No. 2343, changed in line 26 by inserting after the word "source." the following sentence: "The department may adjust the fee upwards according to the consumer price index.").

Medical
physics.

By the same member, for the same committee, on House, No. 3515, a Bill relative to the practice of medical physics (House, No. 4097).

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

Correctional
officers.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing the correctional officers' procedural bill of rights (House, No. 2139).

Indigents,—
funeral
costs.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, Nos. 1537 and 2384, a Bill relative to realistic allowable costs for funerals of indigents (House, No. 4098).

Thomas P.
Johnson,—
retirement.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill providing for certain payment by the teacher's retirement system (House, No. 718).

Street
lighting.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill relative to street lighting (House, No. 868).

Robo-calls.

By the same member, for the same committee, on a petition, a Bill restricting use and connection of automatic dialing-announcing devices (House, No. 870).

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

Construction,—
retainage
payments.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill concerning fair retainage payments in private construction (House, No. 1401).

Northampton,—
charter.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on House, No. 4001, a Bill reestablishing a charter for the city of Northampton (House, No. 4102).

Patricia
Chasse,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Patricia Chasse (House, No. 4094).

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

Recess.

At nine minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at six minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Orders of the Day.

House bills
 Relative to Tisbury water supply system (House, No. 566); Third reading bills.
 To ensure adequate care of animals in cities and towns (House, No. 2326);
 Relative to down syndrome (House, No. 3825); and
 Relative to clear and conspicuous price disclosure (House, No. 4089);
 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.

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 nine minutes after twelve o'clock noon, on motion of Mr. Frost of Auburn (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.

Monday, May 21, 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.

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

Brandon Nathaniel Prentiss.

Resolutions (filed by Mr. Calter of Kingston) congratulating Brandon Nathaniel Prentiss on receiving the Eagle Award of the Boy Scouts of America; and

Edward Devotion School.

Resolutions (filed by Mr. Smizik of Brookline) congratulating the third grade students at the Edward Devotion School in Brookline on their participation in the school's twenty-eighth annual JFK essay and poetry program entitled, "What John F. Kennedy Means to Me";

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 Mr. Smizik of Brookline, 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

Police chiefs,—civil service lists.

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 police chief promotional lists which have been revoked as of May 21, 2012.

Joint Labor-Management Committee.

From the Joint Labor-Management Committee for Municipal Police and Fire (under the provisions Clause (a) of Subsection 3 of Section 1 of Chapter 589 of the Acts of 1987) submitting a report relative to results of involving the resolution of a dispute of the provisions of collective bargaining agreements; and

Public Employees Retirement Administration.

From the Public Employees Retirement Administration Commission (under Chapter 114 of the Acts of 2000) submitting a cost analysis of the Teacher Recruitment, Retention and Retirement Act;

Severally were placed on file.

Order.

The following order (filed by Mr. Kocot of Northampton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

State Administration and Regulatory Oversight committee,—

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Saturday, June 30, 2012, within which to make its final report on

current House documents numbered 4037, relative to state administration and regulatory oversight. extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the city of Holyoke to convey a certain parcel of land to the Holyoke Community College Foundation (House, No. 3849), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 6 and inserting in place thereof the following section: Holyoke,—land.

“SECTION 6. This act shall take effect as of October 7, 2002.”

Under suspension of Rule 35, on motion of Mr. Kane of Holyoke, 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.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Wednesday, June 27, 2012 within which to make its final report on current Senate documents numbered 1005 and 1927, relative to municipalities and local government issues. Municipalities and Regional Government committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until June 29, 2012 within which to make its final report on residue of current House document numbered 4011, relative to transportation matters. Transportation committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the order was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to infrastructure, investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093) and the recommended substitute bill (House, No. 4110) (for order, see House, No. 4111). The order was considered forthwith; and it was adopted. Economic growth.

By Mr. Binienda of Worcester, for the committee on Rules, that Joint Rule 7A be suspended on the petition of Joann DeBettencourt (with the approval of the county commissioners) granting creditable Joann DeBettencourt,—sick leave bank.

Joann DeBettencourt,—
sick leave
bank.

service to employees of the Westwood Dedham Water District. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 7A was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Disabled,—
rape.

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 Elizabeth A. Poirier and others relative to rape of a person with disabilities. Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Stephen T. O'Donnell
Memorial
Highway.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain section of state highway Route 53, Washington Street, in the city of Weymouth as the Stephen T. O'Donnell Memorial Highway (House, No. 3421). 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 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.

Economic
growth.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4093), ought to pass with an amendment substituting a bill with the same title (House, No. 4110).

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4107),— and the amendment recommended by the committee on Ways and Means, pending.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4110) was ordered to a third reading.

Patricia
Chasse,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick leave bank for Patricia Chasse (House, No. 4094), be scheduled for consideration by the House.

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

Report of the committee on Rules of the two branches, acting concurrently, that the House Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 2673, changed), ought NOT to pass (under Joint Rule 10).

Gender responsive programming,— study.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith, the question being: “Shall this resolve be rejected?”. The House then refused to reject the resolve. The resolve then was recommitted to the committees on Rules of the two branches, acting concurrently, on motion of Ms. Coakley-Rivera of Springfield.

Mr. Binienda of Worcester, for the committees on Rules, then reported that the foregoing Resolve ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to create [sic] cranberry nutrient management study commission (House, No. 264).

Cranberry nutrients,— study.

By the same member, for the same committee, on a petition, a Resolve relative to protecting the archaeological, geological and fossil resources of western Massachusetts (House, No. 2007, changed in line 20 by inserting after the word “grants,”, the first time it appears, the word “and”, in line 21 by striking out the words “private gifts and donations,”, and in line 23 by striking out the year “2012” and inserting in place thereof the year “2013”).

Western region,— preservation.

Severally read; and referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to continue the provision of supplemental health insurance to municipal employees (House, No. 3661), ought to pass [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Municipal employees,— health insurance.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill prohibiting the leasing of certain real property known as outer Brewster Island in Boston Harbor (House, No. 215).

Brewster Island,— land.

By the same member, for the same committee, on a petition, a Bill authorizing and directing the Division of Waterways to dredge the harbor area surrounding the Squantum Yacht Club and Wollaston Yacht Club in Quincy (House, No. 216).

Quincy Bay,— dredging.

By the same member, for the same committee, on a petition, a Bill requiring the timely adoption of greenhouse gas emission limits for the year 2030 (House, No. 219).

Greenhouse gases.

By the same member, for the same committee, on a petition, a Bill requiring recycling of lead acid batteries (House, No. 256).

Batteries,— recycling.

By the same member, for the same committee, on a petition, a Bill to authorize the Department of Food and Agriculture to expend a certain sum of money for integrated pest management and control of invasive plants (House, No. 262).

Pest and plant control.

Moose population.

By the same member, for the same committee, on a petition, a Bill relative to the moose population in the Commonwealth (House, No. 1996).

Farmers' markets.

By the same member, for the same committee, on a petition, a Bill relative to farmers' markets (House, No. 2018).

Greenhouse gasses.

By the same member, for the same committee, on a petition, a Bill relative to greenhouse gasses and arbor damage (House, No. 2776).

Meat and poultry.

By the same member, for the same committee, on a petition, a Bill to strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351).

Chatham,—
conservation land.

By the same member, for the same committee, on a petition, a Bill relative to the town of Chatham conservation commission and land within the town of Harwich (House, No. 3734) [Local Approval Received].

Transportation department,—
reforms.

Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 4011, reported, in part, a Bill relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4109).

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

Housing Authority.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill Massachusetts Housing Authority (House, No. 2128).

Domestic violence.

By the same member, for the same committee, on House, No. 386, a Bill relative to housing rights for victims of domestic violence (House, No. 4108).

Acton and
Boxborough,—
water.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill amending Chapter 372 of the Acts of 1963 relative to the rights of the water supply district of Acton to acquire any water source in the town of Boxborough (House, No. 3820) [Local Approval Received].

Worcester,—
park land.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033) [Local Approval Received].

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

By Mr. Scibak of South Hadley, for the committee on Public Service, that the following recommitted bills ought to pass:

Tyringham,—
Peter Curtin.

Authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (House, No. 3524, changed) [Local Approval Received]; and

Tyringham,—
Rainsford
Morehouse.

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed) [Local Approval Received].

Severally 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 House bills be scheduled for consideration by the House:

Insurance.

Relating to the Division of Insurance maintenance assessments (House, No. 296);

Relative to municipal use of insurance proceeds (House, No. 557);	Id.
Revising certain provisions of the mutual holdings company law (House, No. 1210);	Mutual holdings company.
Relative to collective bargaining agreements (House, No. 1402);	Bargaining.
Relative to the collection of personal property taxes (House, No. 2500);	Property taxes.
Relative to honesty in bidding for public works (House, No. 3657);	Public contracts.
Relative to reducing outsourcing (House, No. 3684);	Outsourcing.
Proving retirement benefits for an employee of Western Massachusetts Communities (House, No. 3936, changed); and	Wendy Foxmyn,—retirement.
To provide personal care attendant orientation program (House, No. 4081);	Care attendants.
Severally placed in the Orders of the Day for the next sitting for a second reading.	

Orders of the Day.

The Senate Bill designating a certain bridge in the town of Barre as the Purple Heart Bridge (Senate, No. 1724), 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.

Order.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, May 23, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Statement Concerning Representative Garlick of Needham.

A statement of Mrs. Haddad of Somerset concerning Ms. Garlick of Needham was spread upon the records of the House, as follows:

Statement
concerning
Ms. Garlick
of Needham.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Garlick of Needham, was unable to be present in the House Chamber for today's sitting due to a family emergency. Had she been present for Yea and Nay No. 254, she would have voted in the affirmative. Her missing of roll calls today was due entirely to the reason stated.

Statement of Representative Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

Statement of
Mr. Rogers
of Norwood.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of today's sitting due to a previously-scheduled family commitment. Had I been present for Yea and Nay Nos. 250, 251 and 253, I would have voted, in each instance, in the affirmative. Had I been present for Yea and Nay No. 252, I would have voted in the negative. My missing of roll calls earlier today was due entirely to the reason stated.

Distinguished Guest.

Congressman
William R.
Keating.

During the session, the Chair (Mr. Mariano of Quincy) declared a brief recess and introduced Congressman William R. Keating. Congressman Keating was the guest of the Speaker and the Cape Cod delegation.

Resolutions.

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

Samuel
Carignan.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Howitt of Seekonk) congratulating Samuel Carignan on receiving the Eagle Scout Award of the Boy Scouts of America;

Brandon J.
Salvas.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Howitt of Seekonk) congratulating Brandon J. Salvas on receiving the Eagle Scout Award of the Boy Scouts of America; and

Resolutions (filed by Messrs. Collins of Boston, Sánchez of Boston and Stanley of Waltham) congratulating Mariah Rich on her graduation from the Harvard School of Public Health;

Mariah Rich.

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.

Order.

The following order (filed by Mr. Kane of Holyoke) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Wednesday, June 27, 2012, within which to make its final report on current House documents numbered 562, 575, 577, 580, 1448, 1449, 1454, 3102, 3317, 3745 and 4051.

Municipalities and Regional Government committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kane, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Annual Report.

The annual report of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 3 of Chapter 21I of the General Laws) relative to the Toxics Use Reduction Program activities and accomplishments for the year 2011, was placed on file.

Toxic reduction report.

Petitions.

Ms. Reinstein of Revere presented a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein for legislation to establish a sick leave bank for Lawrence Marino, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Lawrence Marino,—sick leave bank.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Reinstein, 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.

Petitions severally were presented and referred as follows:

By Ms. Balser of Newton, a petition (subject to Joint Rule 12) of Ruth B. Balser and others for legislation to provide for an exemption to the uniform procurement act.

Uniform procurement.

By Ms. Forry of Boston, a petition (subject to Joint Rule 12) of Linda Dorcena Forry for legislation to establish a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services.

Chereel Stafilopatis,—sick leave.

Chelsea,—
land.

By Representatives O'Flaherty of Chelsea and Reinstein of Revere, a petition (subject to Joint Rule 12) of Eugene L. O'Flaherty and Kathi-Anne Reinstein for legislation to authorize the Massachusetts Water Resources Authority to convey a certain parcel land in the city of Chelsea to said city.

Susan
Tremblay,—
sick leave.

By Mr. Rosa of Leominster, a petition (subject to Joint Rule 12) of Dennis A. Rosa for legislation to establish a sick leave bank for Susan Tremblay, an employee of the Department of Correction.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Health
care.

A Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270) (on Senate Bill No. 2260), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Essex
Region,—
retirement.

A Bill relative to the Essex Regional Retirement System (Senate, No. 2230) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brian J.
Waldron,—
sick leave
bank.

A petition (accompanied by bill) of John A. Hart, Jr., for legislation to establish a sick leave bank for Brian J. Waldron, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2272) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

Firearms,—
storage.

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 Kevin J. Murphy for legislation to further regulate the security in the storage of firearms in the Commonwealth. Under suspension of the rules, on motion of Ms. Reinstein of Revere, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. Sent to the Senate for concurrence.

Lowell,—
Gentz
Brothers
Bridge.

Report of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3951) of David M. Nangle for legislation to designate a certain bridge on Morton Street in the city of Lowell as the Gentz Brothers Memorial Bridge. Under suspension of the rules, on a motion of Mr. Straus of Mattapoisett, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommended, on motion of Mr. Nangle.

- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to prevailing wages (House, No. 2306). Referred, under Joint Rule 1E, to the committee on Health Care Financing. Prevailing wages.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 2713, a Bill establishing a middle-skills council and the creation of regional skills academies in the Commonwealth (House, No. 4113). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Middle-skills council.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill relative to unemployment insurance (House, No. 538). Unemployment insurance.
- By the same member, for the same committee, on a petition, a Bill to enhance the quality of security services on state property (House, No. 548). Security services.
- By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on a petition, a Bill pertaining to a firefighter apprenticeship program (House, No. 635). Firefighters,— apprenticeship.
- By the same member, for the same committee, on a petition, a Bill relative to the licensing fees of firearms (House, No. 1552). Firearms, — licensing fees.
- By the same member, for the same committee, on a petition, a Bill regarding police details (House, No. 1571). Police details.
- By the same member, for the same committee, on a petition, a Bill establishing the Massachusetts child AMBER Alert plan (House, No. 2390). AMBER alerts.
- By the same member, for the same committee, on a petition, a Bill relative to the lawful use of shotguns (House, No. 2402). Shotguns,— use.
- By the same member, for the same committee, on a petition, a Bill relative to public benefits (House, No. 3549). Public benefits.
- By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, under the provisions of Joint Rule 3A, a Committee Bill relative to the development of wind siting standards (House, No. 4112). Wind siting.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on a petition, a Bill related to personnel records (House, No. 1397). Personnel records,— access.
- By the same member, for the same committee, on a petition, a Bill relative to job creation through employee ownership (House, No. 2305). Employee ownership.
- By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the University of Massachusetts Police Department (House, No. 659). UMass,— police.
- By the same member, for the same committee, on a petition, a Bill relative to the possession of weapons (House, No. 667). Weapons,— possession.
- By the same member, for the same committee, on a petition, a Bill regarding the certification and training of fire service personnel (House, No. 2389) [Local Approval Received]. Boston,— fire personnel.

Shotguns,—
use.

By the same member, for the same committee, on a petition, a Bill relative to the use of shotguns (House, No. 2398).

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

Engrossed Bill.

Bill
enacted.

The engrossed Bill designating a certain bridge in the town of Barre as the Purple Heart Bridge (see Senate, No. 1724) (which originated in the Senate), having been certified by the Clerk to 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.

Recess.

Recess.

At eight minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-one minutes after one o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair.

Engrossed Bills — Land Takings.

Holyoke
Community
College
Foundation.

The engrossed Bill authorizing the city of Holyoke to convey a certain parcel of land to the Holyoke Community College Foundation (see House, No. 3849, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 250.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 250 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Monroe
State Forest,—
easement.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant easements within Monroe State Forest (see Senate, No. 1988, amended) (which originated in the Senate), in respect to which the House had concurred in adoption of the emergency preamble, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 251.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 251 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4110), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Wagner of Chicopee.

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After remarks on the question on passing the bill to be engrossed, Mr. Vallee of Franklin moved to amend it by striking out section 79 (as published) and inserting in place thereof the following section:

“SECTION 79. Section 2WWW of Chapter 29 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after fifth paragraph the following paragraph:—

A portion of the grant fund shall be used to address the gap between the skills held by workers and the skills needed by employers for jobs that require more than a high school diploma but less than a 4-year degree. Grants awarded under this program shall focus on building relationships and partnerships among geographic clusters of high schools, vocational-technical schools, community colleges, state universities, institutions of higher education, local employers, industry partners, local workforce investment boards, and workforce development entities, in order to create multiple and seamless pathways to employment through enhanced coordination of existing institutions and resources. Each cluster shall designate 1 entity or organization as the lead partner for each cluster and approved procurements shall be jointly applied for by, at a minimum, a public educational institution including a community college, at least one regional workforce investment board, and at least one regional employer in a high growth sector. Grants made under this program shall include consideration of, but not be limited to: defining and establishing the process for students to transition from adult basic education programs to college-based programs; programs accessible to working, unemployed or underemployed adults; support of education and workforce development initiatives that collaborate with the efforts or initiatives of public educational institutions, including development of stackable certificates and credentials, non-semester-based modular programs and accelerated associate degree programs, provided however that the grants issued from this fund shall serve to supplement, and not supplant, ongoing initiatives at community colleges; providing sector-based training including developmental education and certification programs; providing student support services; using competency-based placement assessments; leveraging regional resources, including shared equipment and funding; partnering with 2 or more training organizations in a region; and partnering with 2 or more employers in a region. This portion of the grant fund may also be used to develop regional centers of excellence, which shall be aligned to the commonwealth’s economic development strategies to meet the needs of employers in high growth sectors, including but not limited to, health care, life sciences, information technology and advanced manufacturing. Each center of excellence shall be located at

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a community college, state university, vocational or technical high school or collaboration between these entities. A project grant program shall be designed by Commonwealth Corporation, in consultation with a middle skills subcommittee of the fund committee, which shall include, at a minimum, a representative from the business community to be appointed by the secretary of labor and workforce development; the director of the Center for Labor Market Studies at Northeastern University or a designee; a representative of adult basic education or non-traditional college students in the commonwealth to be appointed by the secretary of education; the Massachusetts Workforce Board Association; a representative from a non-profit trade association with a state approved apprenticeship program and the Massachusetts AFL-CIO, as well as any representatives of the other mandatory advisory committee constituencies under paragraph (b).”

The amendment was adopted.

Mr. Kulik of Worthington then moved to amend the bill by striking out sections 87 and 88 (as published). The amendment was rejected.

Mr. Sannacandro of Ashland then moved to amend the bill in section 92 (as published), in line 1939, by inserting after the word “education,” the words “joint committee on higher education,”. The amendment was adopted.

Representatives Benson of Lunenburg and Orrall of Lakeville then moved to amend the bill by adding the following six sections:

“SECTION 96. Subsection (b) of Section 12 of Chapter 90D of the General Laws is hereby amended by adding at the end thereof, the following new sentence:— This section shall not apply to a vehicle described in subsection (e) of section 20 of this chapter.

SECTION 97. Section 13 of Chapter 90D of the General Laws is hereby amended by striking subsection (a) and inserting in place thereof the following:— (a) Except as provided for in subsection (e) of section 20, the applicant is not the owner of the vehicle; or

SECTION 98. Section 15 of Chapter 90D of the General Laws is hereby amended by striking subsection (a) and inserting in place thereof the following:—

Section 15. (a) Except as provided for in subsection (e) of section 20, if an owner of a vehicle for which a certificate of title has been issued under this chapter transfers his interest therein, other than by the creation of a security interest, he shall, at the time of the delivery of the vehicle, execute an assignment including the actual odometer reading and warranty of title to the transferee in the space provided therefor on the certificate, or such other form as the registrar shall prescribe, and cause the certificate and assignment to be mailed or delivered to the transferee or to the registrar.

SECTION 99. Section 19 of Chapter 90D of the General Laws is hereby amended by striking subsection (a) and inserting in place thereof the following:—

Section 19. (a) The registrar, upon receipt of a properly assigned certificate of title, except as provided for in subsection (e) of section 20, with an application for a new certificate of title, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner. If in accordance with sub-

section (e) of section 20, the outstanding certificate of title is not delivered to him, the registrar shall make demand therefor from the holder thereof.

SECTION 100. Section 20 of Chapter 90D of the General Laws is hereby amended by striking subsection (a) and inserting in place thereof the following:—

Section 20. (a) Except as provided for in subsection (e), whenever an insurer acquires ownership of a motor vehicle which it has determined to be a total loss salvage motor vehicle, it shall, within ten days from the date of acquisition, surrender the certificate of title to the registrar and shall apply for a salvage title. Section 20 of Chapter 90D of the General Laws is hereby further amended by adding at the end thereof the following new subsection:—

(e)(1) Whenever an insurer acquires a motor vehicle which it has determined to be a total loss salvage motor vehicle but is unable to obtain the certificate of title, the insurer may apply for a salvage title in its name without surrendering the certificate of title. Such application shall be accompanied by evidence that the insurer has paid a total loss claim on the vehicle and made at least 2 written attempts, addressed to the last known owner of the vehicle and any known lienholder, to obtain the certificate of title. In lieu of a salvage title, the insurer may similarly apply for a certificate of title in its name for a vehicle if the age of the vehicle precludes issuance of a salvage title. (2) Whenever an insurer requests that Class 2 or Class 3 dealer take possession of a motor vehicle that is the subject of an insurance claim and subsequently a total loss claim is not paid by the insurer with respect to such motor vehicle, the Class 2 or Class 3 dealer may, if such motor vehicle has been abandoned at the facility of the Class 2 or Class 3 dealer for more than 30 days, apply for a salvage title in such dealer's name without surrendering the certificate of title. Such application shall be accompanied by evidence that the Class 2 or Class 3 dealer made at least 2 written attempts, addressed to the last known owner of the vehicle and any known lienholder, to have the vehicle removed from the facility. In lieu of a salvage title, the Class 2 or Class 3 dealer may similarly apply for a certificate of title in the dealer's name for a vehicle if the age of the vehicle precludes issuance of a salvage title.

SECTION 101. Section 20A of Chapter 90D of the General Laws is hereby amended by striking subsection (a) and inserting in place thereof the following:—

Section 20A. (a) The application for the salvage title shall be made by the owner, except as provided for in subsection (e) of section 20, to the registrar on such form or forms as the registrar shall prescribe and shall be accompanied by: (1) a properly assigned certificate of title, except as provided for in subsection (e) of section 20; (2) any other information and documents the registrar may reasonably require to establish ownership of the vehicle and the existence or nonexistence of a lien to the extent not inconsistent with subsection (e) of section 20; and (3) the required fee.”.

The amendment was adopted.

Mr. Linsky of Natick and other members of the House then moved to amend the bill in section 20, in line 159, by striking out the figure “7” and inserting in place thereof the figure “8”, and in line 163, by

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inserting after the word “island” the following: “1 of whom shall be from the MetroWest region.”. The amendments were adopted.

Mr. Cantwell of Marshfield then moved to amend the bill by adding the following section:

“SECTION 102. Notwithstanding any general or special law to the contrary, the commissioner of the division of capital asset management and maintenance, in consultation with the president of Massasoit community college and the department of higher education, is hereby authorized to enter into a lease or other contractual arrangement with Marine and Environmental Education Alliance, Inc., a not-for-profit corporation, to allow the college to utilize facilities now or hereafter owned, leased or operated by the corporation for the purpose of providing post-secondary career and training opportunities in marine and environmental studies. The lease or other contractual arrangement shall be for a term, including extensions, of up to 30 years, and shall be on such terms and conditions as the commissioner of the division of the division of capital asset management and maintenance, in consultation with the president of Massasoit community college and the department of higher education, deems appropriate.”.

The amendment was adopted.

Representatives deMacedo of Plymouth and Peake of Provincetown then moved to amend the bill in section 4, in line 37, by inserting after the word “workforce” the following: “; provided further that \$25,000 shall be used by the Cape Cod and Plymouth Regional Economic Development Organizations to study and design a Plymouth and Cape Cod economic incubator program whose purpose shall be to identify, mentor, support and grow technology startups and innovation companies located in Plymouth County, Cape Cod and the Islands; provided further that \$225,000 shall be used by the Cape Cod and Plymouth Regional Economic Development Organizations to fund said economic incubator program and that funds expended for this purpose shall leverage at least \$1 for each dollar granted” and in line 42 by striking out the figures “2,225,000” and inserting in place thereof the figures “2,500,000”. The amendments were rejected.

After debate on the question on passing the bill, as amended, to be engrossed, the House took up amendments of Ms. Garlick of Needham to amend it in section 4, in line 41, by inserting after the following “acts of 2006” the following: “; provided further, that \$75,000 shall be used for the design of a streetscape project in the town of Needham to support the New England Business Center”, and in line 42, by striking out the figure “2,225,000” and inserting in place thereof the figure “2,300,000”. The amendments were rejected.

Ms. Ferrante of Gloucester then moved to amend the bill in section 45 (as published), in line 1292, by inserting after the word “universities” the words “, non-profit entities.”. The amendment was adopted.

Mr. Keenan of Salem then moved to amend the bill in section 45 (as published), in line 1282, by inserting after the word “competitiveness.” the following sentence: “Research leadership and the capacity to create new jobs in major growth sectors including but not limited to life sciences, IT and cybersecurity and advanced manufacturing in turn depends on a new generation of academic and industry partnerships aimed at solving national and global challenges.”, and in line 1303, by

inserting after the word “commonwealth” the words “through industry partnerships”. The amendments were adopted.

The House then considered an amendment of Mr. Rogers of Norwood to amend the bill by adding the following section:

“SECTION 103. Chapter 312 of the acts of 2008 in section 2A in item 2870-7014 is amended by inserting after the words ‘Jamaica Plain’ the words:— and one hundred fifty percent of said amount may be expended for a similar purpose in Norwood.”.

The amendment was rejected.

Mr. Mariano of Quincy being in the Chair,—

Ms. Provost of Somerville and other members of the House then moved to amend the bill by striking out section 39 (as published).

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Ms. Provost of Somerville; and on the roll call 14 members voted in the affirmative and 139 in the negative.

Amendments
rejected,—
yea and nay
No. 252.

[See Yea and Nay No. 252 in Supplement.]

Therefore the amendment was rejected.

Ms. Forry of Boston then moved to amend the bill in section 67 (as published), in line 1653, by inserting after the word “commonwealth” the following sentence:— The Commissioner shall file annual reports regarding the activities of the small business loan review boards with the chairs of the joint committee on community development and small business, chairs of the joint committee on economic development and emerging technologies, and chairs of the joint committee on revenue, on or before January 1.”. The amendment was adopted.

Mr. Kuros of Uxbridge and other members of the House by inserting after section 66 (as published) the following section:

“SECTION 65A. Section 12 of chapter 156C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:—

(d) No fee shall be issued for the filing of the certificate of organization required by subsection (a). The fee for the filing of the annual report required by subsection (c) shall be \$125. The fee shall be paid to the state secretary at the time the annual report is filed.”.

The amendment was rejected.

Ms. Coakley-Rivera of Springfield then moved to amend the bill in section 4, in line 22, by inserting after the word “program” the following: “; provided that no less than \$300,000 shall be expended for the Tri-City Minority Employment Program;”, and in item 7007-1200 by striking out the figures: “2,250,000” and inserting in place thereof the figures: “2,550,000”. The amendments were rejected.

The same member then moved to amend the bill by inserting after section 95 (as published), the following section:

“SECTION 94A. Not later than 10 days after the start of fiscal year 2013, the comptroller shall transfer \$20,000,000 from the General Fund to the Affordable Housing Trust Fund established by chapter 121D of the General Laws, and said funds shall be used by department of housing and community development as grants or loans for foreclosed property acquisition and rehabilitation, and related property inspection and improvements to local infrastructure that help promote neighborhood stabilization activities in areas that have high numbers of

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foreclosed and distressed properties, provided that loans and grants may be administered by the department through contracts with the Massachusetts Housing Partnership Fund established in section 35 of chapter 405 of the acts of 1985, as amended, and through the Neighborhood Stabilization Loan Fund, and provided further that notwithstanding section 3 of chapter 121D of the General Laws, the department may employ affordability restrictions consistent with federal Neighborhood Stabilization Program created pursuant to Division B, Title II of the Housing and Economic Recovery Act of 2008 and the American Recovery and Reinvestment Act of 2009.”

The amendment was rejected.

Mr. Hecht of Watertown and other members of the House then moved to amend the bill in section 41 (as published), in line 1145, by inserting after the words “unemployed or underemployed adults;” the words “programs that focus on the recruitment, training and employment of older workers”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 65 (as published) the following section:

“SECTION 64A. Chapter 79 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 1 the following new section:—

Section 1A. The taking of real estate or of any interest therein by right of eminent domain under this chapter or chapter 80A shall be effected only when necessary for the possession, occupation, and enjoyment of land by the public at large or by public agencies and shall not be effected for the purpose of commercial enterprise, private economic development, or any private use of the property. Property shall not be taken from one owner and transferred to another on the grounds that the public will benefit from a more profitable use. Whenever an attempt is made to take property for a use alleged to be public, the question whether the contemplated use is truly public shall be a judicial question and determined as such without regard to any legislative assertion that the use is public. In the event that property taken pursuant to this chapter or chapter 80A is not used for the purpose for which it was taken within 5 years of the taking, the governmental authority that took the property must offer to sell the property to the owner from whom it was acquired, or his or her known or ascertainable heirs or assigns, at the price which was paid for the property or for the fair market value of the property at the time of the sale, whichever is less, and if the offer is not accepted within 180 days from the date it is made, the property may be sold to any other person, but only at public sale after legal notice is given.”

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 66 (as published) the following section:

“SECTION 65A. Section 25 of chapter 151A of the General Laws, as appearing in the 2010 Official Edition, is amended by inserting after subsection (j) the following new subsection (k):—

(k) Any week in which the individual is barred from working for, or being paid by, the employing unit by reason of the provisions of section 91(b) of chapter 32.”

The amendment was adopted.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by inserting after section 5 the following section:

“Section 5A. Chapter 7 of the General Laws, as so appearing, is hereby amended by inserting after Section 40G the following section:

Section 40G½. The commissioner shall establish a retail incubator program, hereafter referred to as ‘MassMarket,’ in collaboration with the state’s regional workforce investment boards and the office of small business and entrepreneurship within the executive office of housing and economic development, to locate small business start-up entrepreneurs seeking to develop a business plan into a new, successful retail company unoccupied, state-owned buildings. Eligible participants of MassMarket will be determined through a selection process determined by the respective workforce investment boards of that region. The office of small business and entrepreneurship will utilize appropriate resources at their disposal to enhance the opportunity for success for each eligible MassMarket participant. The commissioner shall provide each workforce investment board with a list of properties that are available for use in the MassMarket program. Costs for security and insurance of each property available will be borne by the MassMarket participant. In exchange for the no-cost retail space, for a maximum of 24 months, the MassMarket participant agrees to the following conditions, which are required in an effort to ensure success: (1) Retailer shall participate in the training and mentoring programs offered by the regional workforce investment board; (2) Retailer shall, at a minimum, be open for business 40 hours per week, 6 days per week; (3) Retailer shall meet once every quarter with a WIB mentor, who shall have access to information on sales, inventory and expenses one week prior to meeting; and (4) A percentage of profits will be set-aside each month to act as a security against any potential damage to the property and will be forfeited if, upon completion of the program, repairs exceed the amount held in escrow. Upon completion of the program, if the MassMarket participant has generated enough business to purchase the property, they will be given first right of refusal to acquire said property, at fair market value, to be determined by the commissioner. If the MassMarket participant wishes to end use of the property, written notice must be given one month prior to the respective workforce investment board.”

Mr. Donato of Medford thereupon raised a point of order that the amendment offered by the gentleman from Whitman was improperly before the House for the reason that it was beyond the scope of the pending bill.

Point of order.

The Chair (Mr. Mariano of Quincy) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Mr. Diehl thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Webster of Pembroke.

Appeal from decision of Chair.

The question then was put “Shall the decision of the Chair stand as the judgment of the House?”

The sense of the House then was taken by yeas and nays, at the request of Mr. Diehl; and on the roll call 118 members voted in the affirmative and 33 in the negative.

Decision of Chair sustained,—yea and nay No. 253.

[See Yea and Nay No. 253 in Supplement.]

Therefore the decision of the Chair was sustained.

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Ms. Wolf of Cambridge then moved to amend the bill in section 41 (as published), in line 1145, by inserting before word “supports” the words “programs in which one or more non-profit corporations collaborate with a community college to prepare low income or underemployed adults for employment in the workforce of regional emerging industries;”. The amendment was adopted.

Messrs. Puppolo of Springfield and Wagner of Chicopee then moved to amend the bill in section 33, in line 344, by inserting after the word “business” the words “and examining the current regulatory impacts upon small to medium sized manufacturers.”. The amendment was adopted.

Mrs. O’Connell of Taunton then moved to amend the bill by inserting after section 56 (as published) the following section:

“SECTION 55A. Chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting in line 1447, after the words ‘nonprofit organization’ the following words:— including a business improvement district organized as a 501(c)3”.

The amendment was rejected.

Ms. Forry of Boston then moved to amend the bill in section 20, in line 157, by striking out “a representative of MOBD designated by the director” and inserting in place thereof the words “the director of small business and entrepreneurship in the office of business development”; in section 27, in line 298, by inserting after the word “revenue” the following: “, the chairs of the joint committee on community development and small business”; and in section 95 (as published), in line 1961, by inserting after the word “technologies” the words “, the chairs of the joint committee on community development and small business”. The amendments were adopted.

Messrs. Swan of Springfield and Wagner of Chicopee then moved to amend the bill in section 41 (as published), in line 1153, by inserting after the word “region;” the following: “adopting innovative approaches to high intensity training methodologies of periods of less than 6 months duration;”. The amendment was adopted.

Messrs. Collins of Boston and Wagner of Chicopee then moved to amend the bill by striking out section 91 (as published); and by adding the following two sections:

“SECTION 103. Notwithstanding anything in subsection (g) of section 3 of chapter 152 of the acts of 1997 to the contrary, in addition to the construction and development of an expansion to the hotel located in the northeast corner of the convention center development area, as defined in said chapter 152, not more than 7 additional hotels may be constructed and developed within a BCEC Hotel Zone, so called, within the city of Boston, such BCEC Hotel Zone to include the portion of the convention center finance district located south of Summer Street and east of Fort Point Channel, provided that (i) such hotels shall include not more than a total of 2700 rooms, including not more than 1 additional headquarters hotel, so called, with not more than 1200 rooms; and (ii) the developer or operator of each such hotel shall enter into a contract with the Massachusetts Convention Center Authority with provisions regarding the cooperative marketing, pricing and use of such hotels to encourage the use of the Boston convention and exhibition

center and incorporating community input from the neighborhoods surrounding the BCEC Hotel Zone.

SECTION 104. In accordance with section 38N of chapter 190 of the acts of 1982, as amended, capital facility projects described in the report titled "Top 5 Initiative – Phase 1 Feasibility Study and Program," dated May 16, 2012 shall be filed with the clerks of the senate and house of representatives and the senate and house committees on ways and means. Said capital facility projects and the acquisition of lands for the purpose of said projects are facilities of the Authority and may be funded pursuant to section 10(c)(iv) of chapter 152 of the acts of 1997, as amended."

The amendments were adopted.

Mr. Levy of Marlborough then moved to amend the bill by striking out sections 87 and 88 (as published). The amendment was rejected.

Mr. Golden of Lowell then moved to amend the bill by adding the following section:

"SECTION 105. (a) Notwithstanding any general or special law to the contrary, there is hereby created a commission that shall investigate the economic impact of the Commonwealth's minimum pricing laws on businesses and residents within the Commonwealth. The commission shall analyze the additional costs, if any, incurred by Massachusetts residents as compared to businesses and residents of neighboring states. (b) The commission shall consist of the secretary of the executive office of administration and finance or his designee; the commissioner of the department of revenue or his designee; the director of the department of agriculture or his designee; the treasurer or his designee; the house and senate chairs of the joint committee on revenue, who shall co-chair the commission; a representative of the Retailers Association of Massachusetts; a representative of the Massachusetts Chamber of Commerce; a representative appointed by the Governor from each of the industries currently impacted by minimum pricing laws, including the dairy, alcohol and tobacco industries; an individual with an expertise in finance or consumer economics; and a representative of the New England Convenience Store Association as appointed by the Governor. The commission shall adopt rules and establish procedures it considers necessary for the conduct of its business. No action of the commission shall be considered official unless approved by a majority vote of the commission members. (c) In the course of its investigation, the commission shall: (1) examine the minimum pricing laws in existence in the Commonwealth and the purpose behind their initial creation; (2) examine the minimum pricing laws in existence in the Commonwealth's neighboring states, if any; (3) provide an analysis of the impact of the Commonwealth's minimum pricing laws on the cost and price of products so regulated; (4) provide an analysis of the impact of the neighboring states' minimum pricing laws on the cost and price of products so regulated; (5) develop recommendations as to whether the Commonwealth's minimum pricing laws continue to serve their original purpose and whether such laws put the Commonwealth and its businesses and residents at a competitive disadvantage as compared to neighboring states; (6) determine whether the Commonwealth's minimum pricing laws benefit certain businesses as opposed to others by creating subsidies of unnecessarily large profit. (d) The

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commission may hold public hearings to assist in the collection and evaluation of data and testimony. (e) Any research, analysis or other staff support that the commission reasonably requires shall be provided by the executive office of administration and finance and its agencies. (f) The commission shall prepare a written report detailing its findings and recommendations, together with drafts of legislation, as may be necessary to carry those recommendations into effect. The commission shall submit its initial report to the governor, the secretary of the executive office of administration and finance, the clerks of the senate and house of representatives, the chairs of the house and senate committees on ways and means and the joint committee on revenue not later than 1 year after the effective date of this act.”

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill in section 15, in line 100, by striking out the figures “50” and inserting in place thereof the figure “10”. The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 65 (as published) the following eleven sections:

“SECTION 64B. Subsection (c) of section 3 of chapter 63B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking said subsection and inserting in place thereof the following:—

(c) For purposes of this chapter, there shall be four required installments for each taxable year, except as otherwise provided by this chapter. The first installment shall be paid on or before the fifteenth day of the third month of the taxable year; the second installment shall be paid on or before the fifteenth day of the sixth month of the taxable year; the third installment shall be paid on or before the fifteenth day of the ninth month of the taxable year; and the fourth installment shall be paid on or before the fifteenth day of twelfth month of the taxable year. The amount of any installment shall be 25 percent of the required annual payment.

The term ‘required annual payment’ means the lesser of (i) 90 per cent of the tax shown on the return for the taxable year or, if no return is filed, 90 per cent of the tax for such year, or (ii) 100 per cent of the tax shown on the return of the corporation for the preceding taxable year, or (iii) 90 per cent of the tax for the taxable year or, (iv) ninety per cent of the tax that would be required to be shown on the return for taxable year if the tax were determined by using the income apportionment percentage determined for the preceding taxable year under chapter 63.

Clause (ii) shall not apply if the preceding taxable year was not a taxable year of 12 months or the corporation did not file a return for such preceding taxable year showing a liability for tax.

Clause (ii) shall not apply in the case of a large corporation, as defined in section 6655 (g) of the Internal Revenue Code of the United States, as amended on January 1, 1989 and in effect for the taxable year except for purposes of determining the amount of the first required installment for any taxable year; provided, however that any reduction in such first installment by reason of this provision shall be recaptured

by increasing the amount of the next required installment by the amount of such reduction.

SECTION 64C. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘sixty-five’ in line 4 and inserting in place thereof the following:— 50.

SECTION 64D. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘ten’ in line 9 and inserting in place thereof the following:— 25.

SECTION 64E. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘ninety’ in line 14 and inserting in place thereof the following:— 25.

SECTION 64F. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘ten’ in line 16 and inserting in place thereof the following:— 25.

SECTION 64G. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘thirty’ in line 7 and inserting in place thereof the following:— 25.

SECTION 64H. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘twenty-five’ in line 10 and inserting in place thereof the following:— 25.

SECTION 64I. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘twenty-five’ in line 13 and inserting in place thereof the following:— 25.

SECTION 64J. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word ‘twenty’ in line 15 and inserting in place thereof the following:— 25; and by adding the following two sections:—

SECTION 106. Notwithstanding any general or special law to the contrary, the comptroller may, on or before June 30, 2014, transfer no more than \$200,000,000 to the General Fund from the Commonwealth Stabilization Fund; provided, the amount of the transfer shall be Commonwealth Stabilization Fund shall be reimbursed the full amount of the transfer by December 31, 2014. The comptroller, in consultation with the secretary of administration and finance, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.

SECTION 107. Sections 64A through 64I, inclusive, shall take effect beginning January 1, 2014.”

The amendments were adopted.

Mr. Costello of Newburyport then moved to amend the bill by inserting before section 106 (inserted by amendment) the following section:

“SECTION 105. The joint committee on telecommunications, utilities and energy, in consultation with the state 911 department and department of revenue, shall study and report on the amount of revenue collected from the current enhanced 911 system surcharge for prepaid wireless service and any uncollected revenue from the current system. The study shall include an investigation on collecting the enhanced 911 system surcharge for prepaid wireless service at the point of sale and an estimate of the annual revenue collected from a

Economic
growth.

prepaid wireless service surcharge at the point of sale. The joint committee on telecommunications, utilities and energy shall report its findings and recommendations, together with drafts of legislation necessary to carry the recommendations into effect, by filing the same with the clerks of the house of representatives and senate and the house and senate committees on ways and means not later than November 1, 2012.”.

The amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill by striking out sections 55 and 65 (as published). The amendment was rejected.

Representatives Ross of Attleboro and Poirier of North Attleboro then moved to amend the bill by inserting after section 14 the following section:

“SECTION 14A. Section 3A of chapter 23A of the General Laws, as so appearing, is hereby amended by striking, in lines 139 and 140, the words ‘below the commonwealth’s average’ and inserting in place thereof the following:— below 100.5 percent of the commonwealth’s average.”.

The amendment was adopted.

Ms. Reinstein of Revere then moved to amend the bill in section 41, in line 1137, by inserting after the word “boards,” the following: “labor organizations to support the creation of workforce investment training opportunities for civilians or for veterans who served on active duty in the armed forces during a war or in a campaign or expedition for which a campaign badge has been authorized and who have separated from the military within 48 months of the effective date of this act.”. The amendment was adopted.

Mr. Wagner of Chicopee then moved to amend the bill in section 6, in line 50 by inserting after the word “said” the following: “clauses (i) or (ii) of subsection (a) of”; in section 8, in line 20, by inserting after the word “creation” the following “;”; in section 15, in line 100, by striking out the words: “before or”, in line 101, by striking out the words: “preceding the year”, in line 113, by inserting after the word “commonwealth or” the following: “(c)”; and, in line 115, by inserting after the word “employees” the words “and not a relocation of permanent full-time employees employed by the controlling business at any other facility located within the commonwealth.”; in section 27, in lines 258 and 259, by striking out the following “(b) the controlling business made a material misrepresentation in its project proposal or anytime thereafter” and inserting in place thereof the following: “(b) the controlling business made a material misrepresentation in its project proposal or anytime thereafter in its information provided to a municipality, MOBD or EACC”; in section 39 (as published), in lines 607 to 610, inclusive, by striking out the text contained in those lines, in lines 781 to 784, inclusive, by striking out the text contained in those lines, in lines 795 to 799, inclusive, by striking out the text contained in those lines; by striking out section 47 (as published) and inserting in place thereof the following section:

“SECTION 46. (a) Notwithstanding any general or special law to the contrary, any city or town by vote of its town meeting, town council or city council with the approval of the mayor where required by law may designate development districts within the boundaries of the

city or town provided, however, a development district may consist of 1 or more parcels or lots of land, whether or not contiguous, or 1 or more buildings or structures, whether or not adjacent, on 1 or more parcels of land, provided that the total area of all development districts shall not exceed 25 per cent of the total area of a city or town; and provided that the boundaries of a development district may be altered only after meeting the requirements for adoption under this subsection. The city or town shall find that the designation of the development district is consistent with the requirements of this section and will further the public purpose of encouraging increased residential, industrial and commercial activity in the commonwealth.”;

In section 49 (as published), in line 1360, by inserting after the year “2012” the words: “because of a material variance”, in line 1361 and also in section 59, in lines 1588 and 1589, by striking out the words “or material misrepresentation”. The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—yea and nay No. 254.

[See Ye and Nay No. 254 in Supplement.]

Therefore the bill (House, No. 4119, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill establishing a sick leave bank for Patricia Chasse, an employee of the Executive Office of health and Human Services (House, No. 4094) (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.

Third reading bill.

House bills

Relative to municipal use of insurance proceeds (House, No. 557);

Revising certain provisions of the mutual holdings company law (House, No. 1210);

Relative to reducing outsourcing (House, No. 3684);

Proving retirement benefits for an employee of Western Massachusetts Communities (House, No. 3936, changed); and

To provide personal care attendant orientation program (House, No. 4081);

Severally were read a second time; and they were ordered to a third reading.

Second reading bills.

The House Bill relative to dementia patients in long term care facilities (House, No. 3947), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Long term care,—dementia patients.

Pending the question on passing the bill to be engrossed, Ms. Wolf of Cambridge moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Regulations promulgated by the department of public health under section 71C of chapter 111 of the General Laws shall not

Long term
care,—
dementia
patients.

be presumed to require a higher reimbursement rate for licensees under section 71.”

The amendment was adopted; and the bill (House, No. 3947, amended) 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 tomorrow at eleven o'clock A.M.

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at thirteen minutes after six o'clock P.M. (Mr. Mariano of Quincy being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Thursday, May 24, 2012.

Met at seven minutes after 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.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Christian Desrochers on receiving the Eagle Scout Award of the Boy Scouts of America; and Christian Desrochers.

Resolutions (filed by Mrs. Canavan of Brockton) congratulating Mitch Nolan Read on receiving the Eagle Scout Award of the Boy Scouts of America; Mitch Nolan Read.

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

Reports of Committees.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Resolve creating a study into the promotion of a year of service by young people in the Commonwealth (House, No. 70); Youth service,—study.

Of the Bill relative to the Middlesex Canal Commission (House, No. 244); Middlesex Canal.

Of the Resolve providing for an investigation and study by a special commission relative to adolescents at risk (House, No. 979); Adolescents.

Of the Bill establishing a Mystic River water quality commission (House, No. 1156); Mystic River.

Of the Bill relative to a special commission to study condominium law (House, No. 1248); Condominiums.

Of the Bill affirming inclusion of individuals with disabilities within civil rights protections and nondiscrimination provisions in the Commonwealth of Massachusetts (House, No. 1865); Disabled,—civil rights.

Of the Bill establishing a grant program for expanding learning time and improving student success (House, No. 1921, changed); Student grant program.

Of the Resolve providing for an investigation and study by a special commission relative to elder protective services (House, No. 1965); Elder protective services.

Of the Bill relative to the tax expenditure budget (House, No. 2540, changed); Tax expenditures.

Small
businesses.

Of the Bill to promote sales tax fairness for Main Street retailers (House, No. 3673); and

Condominiums.

Of the Bill relative to a special commission to study condominium law (House, No. 3933).

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Auto body
labor rates,—
study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 91) of Geraldo Alicea for legislation creating an advisory commission on auto body labor rates,— and recommending that the same be referred to the committee on Financial Services. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Northampton,—
charter.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill reestablishing a charter for the city of Northampton (House, No. 4102), 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.

Subsequently under suspension of the rules, on motion of Mr. Kocot of Northampton, the bill (having been 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. Sent to the Senate for concurrence.

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

Pittsfield.

Modifying the Pittsfield Economic Development Authority (Senate, No. 2178);

Wendell.

Authorizing the town of Wendell to provide for alternative energy and sanitation systems (House, No. 3534); and

Ware,—
Jeanine
Bonnayer.

Exempting Jeanine Bonnayer from maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (House, No. 3875);

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.

Early
education.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to improving quality in early education and care by family child care providers (House, No. 3986), ought to pass [Representative deMacedo of Plymouth dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Folic acid
awareness
programs.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill to establish folic acid awareness programs for young

girls and women (House, No. 1479). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1017, 1018, 1895 and 1896, a Bill to establish a subsidiary board for veterinary technology (House, No. 1895). Veterinary technology.

By the same member, for the same committee, on House, Nos. 874, 2704 and 3251, a Bill relative to for-profit charitable solicitation (House, No. 2704). Charitable solicitation.

By the same member, for the same committee, on House, No. 2688, a Bill relative to licensing massage therapists (House, No. 4115). Massage therapists.

By the same member, for the same committee, on House, Nos. 107 and 2690, a Bill establishing the Massachusetts travelers bill of rights (House, No. 4116). Travelers' rights.

By the same member, for the same committee, on House, No. 124, a Bill to regulate real estate appraisal management companies (House, No. 4117). Real estate appraisals.

By the same member, for the same committee, on House, No. 3224, a Bill to facilitate and regulate residential selling practices (House, No. 4118). Residential selling.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to access to the Hollingsworth Dam (House, No. 3274). Hollingsworth Dam,— access.

By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on House, Nos. 8 and 10, a Bill relative to special state police (House, No. 10). Special state police.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the town of Orange to convey a certain parcel of land (House, No. 4009, changed in section 2, in line 9, by inserting after the word "Laws," the following: "but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B") [Local Approval Received]. Orange,— land.

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

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill to encourage well qualified practitioners in the field of personal training (House, No. 1005). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Personal training.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair. Recess.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill reforming election laws (House, No. 4022), ought to pass with an amendment substituting therefore a bill with the same Election laws,— reform.

Election
laws,—
reform.

title (House, No. 4120) [Representatives deMacedo of Plymouth, Wong of Saugus and Spiliotis of Peabody dissenting.]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

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. The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Id.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill reforming election laws (House, No. 4120) (for order, see House, No. 4121). The order was considered forthwith; and it was adopted.

Recess.

Recess.

At twenty-five minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and twenty minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Paper from the Senate.

Veterans,—
opportunity.

The Senate Bill relative to veterans' access, livelihood, opportunity, and resources (Senate, No. 2254, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document number 4095) with a further amendment striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2669).

Under suspension of Rule 35, on motion of Mr. Vallee of Franklin, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Mr. Dempsey of Haverhill then moved that the House concur with the Senate in its further amendment with a still further amendments in section 4, in lines 27 and 28, by striking out the words “, also known as Gold Star Families, or service members deceased in relation to their military service”; in section 8A, in line 602, by striking out the figures “750” and inserting in place thereof the figures “1000”; by striking out section 15 and inserting in place thereof the following section:

“SECTION 15. Section 5 of chapter 188 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(e) The declaration of homestead shall recite whether the owner, the owners spouse or other family member to be benefitted is a servicemember who may be subject to protection under the Servicemembers Civil Relief Act, 50 U.S.C. app. § 533, should that owner, spouse or family member be called to active duty. A failure to include a recital as

to servicemember status shall not affect the validity or enforceability of the declaration and the rights created thereunder.”; and by striking out section 17.

The still further amendments were adopted.

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

Recess.

At fourteen minutes before two o'clock P.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until half past three o'clock P.M.; and nineteen minutes before four o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Emergency Measure.

The engrossed Bill relative to veterans' access, livelihood, opportunity, and resources (see Senate, No. 2254, 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. Veterans,—
opportunity.

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 2 to 0. Sent to the Senate for concurrence.

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. Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

At five minutes after four o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, May 29, 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.

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

Dr. Patricia
Ansay.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Howitt of Seekonk) congratulating Dr. Patricia Ansay on the occasion of her retirement from the Norton Public School System;

Myasthenia
Gravis.

Resolutions (filed by Mr. Fattman of Sutton) commending the Myasthenia Gravis Foundation on its observance of Myasthenia Gravis Awareness Month;

Daniel
Avery.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Daniel Avery on receiving the Eagle Scout Award of the Boy Scouts of America;

Matthew
Bedard.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Matthew Bedard on receiving the Eagle Scout Award of the Boy Scouts of America;

Christian
Robert
May.

Resolutions (filed by Messrs. Linsky of Natick, Winslow of Norfolk and Fernandes of Milford) congratulating Christian Robert May on receiving the Eagle Award of the Boy Scouts of America;

Steven
Schwarzman.

Resolutions (filed by Mr. Mahoney of Worcester) congratulating Steven Schwarzman on his installation as the new Rabbi of Congregation Beth Israel;

Kevin
Boyle.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Kevin Boyle on receiving the Eagle Award of the Boy Scouts of America; and

Bernard L.
Fitzgerald II.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulation Bernard L. Fitzgerald II on his retirement following forty one years of dedicated service to the Dorchester District Court Probation 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 Mr. Brodeur of Melrose, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

Farm
Technology
Review
Commission.

The annual report of the Farm Technology Review Commission (under Section 11 of Chapter 310 of the Acts of 2008) [copies of said report forwarded to the House committee on Ways and Means and the

committee on Environment, Natural Resources and Agriculture], was placed on file.

Paper from the Senate.

A petition (accompanied by bill, Senate, No. 2271) of Stephen M. Brewer and Richard Bastien (by vote of the town) for legislation to authorize the town of Ashburnham to dispose of certain equipment, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Ashburnham
Firefighters
Association.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4109, reported, in part, a Bill relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4125). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation
reforms.

Mr. Kafka of Stoughton, for said committee 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 Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 259) of Thomas M. Stanley, Matthew A. Beaton and Tom Sannicandro that the Department of Environmental Protection Office of Research and Standards conduct a long-term research program on contaminants in striped bass,— 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.

Striped
bass.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3272) of Stephen Kulik relative to the establishment of a white water rafting fund and environmental boating regulation enforcement,— and recommending that the same be referred to the committee on Revenue. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Boating
regulation
enforcement.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 2004, a Bill for consumer protection and regulation in psychotherapy (House, No. 4123). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Psychotherapy.

By Ms. Peake of Provincetown, for the committee on Tourism, Arts and Cultural Development, on House, No. 3692, a Bill relative to the State House art commission and State House architect (House, No. 4124). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

State House
art commission
and architect.

Commercial rebates.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to commercial rebate expiration (House, No. 380).

Holyoke,—
police department.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the police department in the city of Holyoke (House, No. 3484) [Local Approval Received].

Parking lots,—
time limit.

By the same member, for the same committee, on House, No. 2332, a Bill limiting time period parking lots can remain open (House, No. 4122).

Harvard,—
economic area.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill relative to adding the town of Harvard to the Devens Economic Target Area (House, No. 3717) [Local Approval Received].

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:

Essex County.

The Senate Bill relative to the Essex Regional Retirement System (Senate, No. 2230); and

House bills

Banking.

Relative to certain banking laws (House, No. 288);

Psychology.

Relative to psychology training (House, No. 1003);

Restaurants.

To protect the health and safety of people in restaurants (House, No. 1462);

Taxicabs.

Relative to requiring insurance for taxicabs and commercial vehicles (House, No. 2032);

Credit unions.

Relative to creation of a reserve fund for credit unions (House, No. 2073);

Meth.

Relative to trafficking in methamphetamines (House, No. 2220);

MWRA.

Relative to the Massachusetts Water Resources Authority (House, No. 2941); and

Child care,—
education.

Relative to improving quality in early education and care by family child care providers (House, No. 3986);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

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

At eight minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

Wednesday, May 30, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Messages from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (House, No. 4134), was filed this day in the office of the Clerk. Blackstone,—
election.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Election Laws. Sent to the Senate for concurrence.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at a certain election held in the town of Lincoln (House, No. 4135), was filed this day in the office of the Clerk. Lincoln,—
election.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Election Laws. Sent to the Senate for concurrence.

Statement Concerning Representative Kaufman of Lexington.

A statement of Mr. Rushing of Boston concerning Mr. Kaufman of Lexington was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kaufman of Lexington, is unable to be present in the House Chamber for today's sitting due to official business outside of the country. His missing of roll calls this week and next week will be due entirely to the reason stated. Statement
concerning
Mr. Kaufman
of Lexington.

Statement Concerning Representative Koczera of New Bedford.

A statement of Mr. Rushing of Boston concerning Mr. Koczera of New Bedford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Koczera of New Bedford, is unable to be present in the House Chamber for today's sitting due to personal business. His missing of roll calls this week and next week will be due entirely to the reason stated. Statement
concerning
Mr. Koczera of
New Bedford.

Orders.

The following order (filed by Mr. O'Flaherty of Chelsea) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

The Judiciary committee,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, June 8, 2012, within which to make its final report on current House documents numbered 4055, 4057, 4068 and 4069.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. O'Flaherty of Chelsea) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Id.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, June 8, 2012, within which to make its final report on current House documents numbered 9, 11, 23, 24, 27, 28, 29, 30, 31, 40, 41, 42, 382, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 524, 525, 526, 527, 528, 1274, 1275, 1276, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1835, 1836, 1837, 1838, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279,

2280, 2281, 2282, 2283, 2284, 2285, 2684, 2793, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 3137, 3138, 3139, 3140, 3141, 3142, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3229, 3230, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3330, 3340, 3358, 3359, 3360, 3361, 3362, 3385, 3441, 3471, 3516, 3518, 3545, 3559, 3569, 3587, 3631, 3636, 3681, 3682, 3729, 3739, 3743, 3744, 3765, 3766, 3768, 3840, 3884, 3905, 3913, 3934, 3977, 3978, 3987, 4004 and 4050.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O’Flaherty of Chelsea, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012, within which to make its final report on current House documents numbered 907, 918, 928, 931, 949, 1782, 1794, 1795, 1796, 1797, 1799, 1801, 1803, 1805, 1816, 2633, 2645, 2648, 2653, 2654, 2658, 2659, 2660, 2664, 2914, 2986, 3072, 3079, 3094, 3095, 3096, 3248, 3382, 3420, 3852 and 3966.

Transportation committee,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus of Mattapoissett, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 1, 2012, within which to make its final report on current House document numbered 4059.

Id.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus of Mattapoissett, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Paper from the Senate.

A petition (accompanied by bill) of Michael J. Rodrigues, Christopher M. Markey and Keiko M. Orrall for legislation to designate the red-bellied cooter as the official turtle of the Commonwealth, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Red-bellied cooter.

Red-bellied
cooter.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2274) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

Health care.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270), 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 4127. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter 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.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2270, amended) was ordered to a third reading.

Supplemental
appropriations.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, on part of House, No. 3898, a Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132) [Total appropriations: \$212,439,849.00]. Read; and referred, under Rule 7A to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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.

Doctors,
etc.,—
meals.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to restaurant rejuvenation (Senate, No. 1849). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Voting
equipment.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill to ensure secure voting equipment (House, No. 196).

Natural
gas
leaks.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1672 and House, Nos. 3051, 3052 and 3053, a Bill relative to natural gas leaks (House, No. 4129).

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

Negative
option
sales.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 100 and House, No. 1014, a Bill to prohibit negative option sales (House, No. 4130).

County
elections,—
vacancies.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill relative to certain county elections for certain vacancies (House, No. 211).

By the same member, for the same committee, on a petition, a Bill establishing identification requirements for voters who registered by mail (House, No. 1981). Voter registration.

By the same member, for the same committee, on a petition, a Bill relative to absentee ballots (House, No. 2734). Absentee ballots.

By the same member, for the same committee, on a petition, a Bill relative to absentee voting (House, No. 2740). Absentee voting.

By the same member, for the same committee, on a petition, a Bill prohibiting certain election practices (House, No. 3113). Elections,—websites.

By the same member, for the same committee, on a petition, a Bill regarding decennial division of wards and precincts in the city of Boston (House, No. 3819) [Local Approval Received]. Boston,—wards and precincts.

By the same member, for the same committee, on a petition, a Bill relative to the recall of elective officers in the town of North Andover (House, No. 3831) [Local Approval Received]. North Andover,—recall.

By the same member, for the same committee, on House, No. 2737, a Bill relative to specially qualified voters (House, No. 4126). Special voters.

By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the Plymouth Nuclear Power Plant (House, No. 645). Plymouth Nuclear Plant.

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

Recesses.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at thirteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair. Recesses.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, until two o'clock; and at twelve minutes after two o'clock the House was called to order with Mr. O'Day of West Boylston in the Chair.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270) and the recommended House text (see House document numbered 4127) (for order, see House, No. 4128). The order was considered forthwith. Health care,—procedure.

Pending the question on adoption of the order, Mr. Jones of North Reading and other members of the House moved to amend it in lines 5 and 6 by striking out the following: "5:00 p.m. Friday, June 1" and inserting in place thereof the following: "2:00 p.m. Monday, June 4".

After debate on the question on adoption of the amendment, the sense of the House was taken by yea and nays, at the request of Mr. Peterson of Grafton; and on the roll call 35 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 255 in Supplement.]

Therefore the amendment was rejected.

The order then was adopted.

Supplemental appropriation,— procedure.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132) (for order, see House, No. 4133). The order then was adopted.

General Appropriation Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4086), returning with his disapproval of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4079), reported, in part, that certain sections stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motions of Dempsey of Haverhill, the reports were considered forthwith.

Section 3 (gaming commission background checks), which had been disapproved by the Governor was considered.

After debate on the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 257 in Supplement.]

Therefore section 3 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 4 (gaming commission background checks), which had been disapproved by the Governor was considered.

After remarks on the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 258 in Supplement.]

Therefore section 4 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

*Motion to Discharge Certain Matters
in the Orders of the Day.*

The House Bill relative to improving quality in early education and care by family child care providers (House, No. 3986), was taken from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Ms. Khan of Newton.

Gaming commission background checks section 3 stands,— yea and nay No. 257.

Gaming commission background checks section 4 stands,— yea and nay No. 258.

Early education and care.

Mr. Jones of North Reading thereupon raised a point of order that the bill was improperly before the House for the reason that the committee had failed to attach a fiscal note to the pending bill, as required by House Rule 33.

Point of order.

In answer to the point of order, the Chair (Mr. Donato of Medford) ruled that it was not within the province of the chair to inquire into the internal workings of the committees; and therefore the point of order was not well taken.

Mr. Jones thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Peterson of Grafton.

After debate on the question: "Shall the decision of the Chair stand as the judgment of the House?", the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 121 members voted in the affirmative and 32 in the negative.

Decision of Chair sustained,—yea and nay No. 256.

[See Yea and Nay No. 256 in Supplement.]

Therefore the decision of the Chair was sustained.

The bill then was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Khan of Newton, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act improving quality in early education and care by family child care providers".

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 117 members voted in the affirmative and 32 in the negative.

Bill passed to be engrossed,—yea and nay No. 259.

[See Yea and Nay No. 259 in Supplement.]

Therefore the bill (House, No. 3986) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill reforming election laws (House, No. 4120), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

Election laws.

After remarks on the question on passing the bill to be engrossed, Mr. Peterson of Grafton moved that it be recommitted to the committee on Ways and Means.

After debate on the motion to recommit, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 32 members voted in the affirmative and 117 in the negative.

Motion to recommit negated,—yea and nay No. 260.

[See Yea and Nay No. 260 in Supplement.]

Motion to recommit negated.

Mr. Finn of West Springfield and other members of the House then moved to amend it by inserting after section 7 the following section:

"SECTION 7A. Notwithstanding any general or special law to the contrary, there shall be established an elections task force. (a) Said task force shall undertake a study of the implementation of ss. 3, 4, 5, and 6 of HB 4120. Said study shall include an analysis of : (1) the state and local costs of implementing said proposals, the costs of increasing access to the Central Registry of Voters, and the availability of federal

Election laws.

funding through the Help America Vote Act; (2) the administrative requirements for adopting such a system, including their impact upon poll operations and upon the operation of municipal clerks offices on election day; (3) the possibility of fraud; (4) the effects upon finalizing a vote and possible recounts.

(b) The task force shall complete its study and submit its final report in writing to the joint committee on election laws and the state secretary no later than February 1, 2013.

(c) The task force shall consist of the house and senate chairs of the joint committee on election laws; the speaker of the house of representatives or his designee; the president of the senate or her designee; the house minority leader or his designee; the senate minority leader or his designee; the state secretary or his designee; the registrar of motor vehicles or her designee; 3 representatives of the Massachusetts Town Clerks Association, one of whom is the President of the Massachusetts Town Clerk Association (who shall serve as the task force chair), one of whom shall be from a town of between 2,001 and 12,000 inhabitants, and one of whom shall be from a town of 2,000 or fewer inhabitants, 3 representatives of the Massachusetts Municipal Association, one of whom shall be the chief election officer of a city under 100,000 inhabitants, one of who shall be the chief election officer of a city over 100,001 inhabitants; and 1 representative of each of the following groups: the League of Women Voters of Massachusetts, the Massachusetts Chapter of the NAACP, Common Cause, and MassVOTE, and OISTE.”.

Amendments adopted,—
yea and nay
No. 261.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 149 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 261 in Supplement.]

Therefore the amendment was adopted.

Mr. deMacado of Plymouth and other members of the House then moved to amend the bill by inserting after section 7A (inserted by amendment) the following seven sections:

“SECTION 7B. Section 8E of SECTION 1. Section 76 of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, by striking out, in line 2, the words ‘and, if requested,’ and inserting in place thereof the following:— , valid photo identification issued by the commonwealth of Massachusetts or the government of the United States, as defined in section 76B, and.

SECTION 7C. Chapter 54 of the General Laws, as so appearing, is hereby amended, by striking out section 76B in its entirety and inserting in place thereof the following section:—

Section 76B. (a) For the purposes of this chapter, ‘valid photo identification’ shall mean a document that:

(1) shows the name of the individual to whom the document was issued, and the name conforms to the name of the individual’s voter registration record;

(2) shows a photograph of the individual to whom the document was issued;

(3) includes an expiration date, and the document is not expired or expired after the date of the most recent general election; and

(4) was issued by the commonwealth of Massachusetts or the government of the United States.

(b) (1) A person seeking to vote that does not provide sufficient valid photo identification as defined in subsection (a) of this section may be challenged under section 85 of this chapter.

(2) A person seeking to vote that does not provide valid photo identification as defined under subsection (a) of this section may cast a provisional ballot under section 76C.

(c) Nothing in this section shall be construed to deny the rights of any individual who:

(1) is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. sections 1973ff-1 et seq.;

(2) is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. section 1973ee-1(b)(2); or

(3) is otherwise entitled by federal law to vote otherwise than in person.

SECTION 7D. Section 76C of Chapter 54 of the General Laws, as so appearing, is hereby amended, by adding after subsection (k) the following new subsection:—

(l) A voter who fails to provide valid photo identification as defined under section 76B and casts a provisional ballot shall be required to provide such identification in person to the city or town clerk, or elections board or commission, of the municipality in which they reside, within 8 business days from the date of the election in which the provisional ballot was cast. A voter who fails to provide such identification in the time specified shall forfeit that vote, and that provisional ballot shall be discarded.

SECTION 7E. Section 92 of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, by adding in line 5, after the words ‘eighty-seven,’ the following words:— as well as enclosing in the same envelope a copy of a valid photo identification as defined in section 76B of this chapter.

SECTION 7F. Section 8E of Chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended at the end of the first paragraph thereof by adding the following language:— The Registry shall establish a waiver for indigent persons to obtain an identification card at no cost.

SECTION 7G. Chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after Section 61 the following new language:—

Section 62. (a) The Registry of Motor Vehicles shall establish a definition of ‘indigency’ for the purposes of this chapter and uniform standards and procedures for the determination that: (1) a person is indigent and is unable to afford an identification card or (2) a person is indigent, but has the ability to pay a reduced fee for an identification card. The definition and standards, and any amendments thereto, shall be used by the registry in determining eligibility for a free identification card. In the formulation of the definition, standards and procedures, the registry shall utilize: (1) the reporting system operated by the commissioner of transitional assistance for the purpose of verifying financial

Election
laws.

eligibility of participants in state or federally funded programs; (2) the accessibility of income data available from the department of revenue; and (3) verifying material assets through the registry of motor vehicles.

(b) A person claiming indigency under subsection (a) shall execute a waiver authorizing the registrar, or the registrar's designee, to obtain the person's wage, tax and asset information from the department of revenue, department of transitional assistance and within the registry of motor vehicles that the registry may find useful in verifying the person's claim of indigency. The waiver shall authorize the registrar, or the registrar's designee, to conduct any further reassessment required by this section.

(c) It shall be the responsibility of the registrar to ensure that a person claiming to be indigent meets the definition of indigency under subsection (a). A person seeking an indigency waiver shall be interviewed by the registrar or the registrar's designee prior to the granting of a waiver. The person conducting the interview shall explain to the person seeking the waiver: (1) the definition of indigency; (2) the process used to verify the person's information with other state agencies; and (3) the penalties for misrepresenting financial information in applying for an indigency waiver. The registrar or the registrar's designee conducting the interview shall prepare a written indigency intake report that shall record the results of the interview and state a recommendation on whether or not the person seeking the waiver is indigent. The person seeking the waiver and the registrar or the registrar's designee conducting the interview shall sign the indigency intake report. In signing the report, the person seeking the waiver shall certify under the pains and penalties of perjury that the information contained therein is true and that the person has not concealed any information relevant to the person's financial status. All statements contained in the report shall be deemed material statements. The completed report shall be presented to the registrar who may adopt or reject the recommendations in the report, either in whole or in part.

Section 7H. Section 7B, 7C, 7D, 7E, 7F and 7G of this act shall take effect on April 1, 2013.”

Point of
order.

Mr. O'Day of West Boylston thereupon raised a point of order that the amendment offered by the gentleman from Plymouth was improperly before the House for the reason that it went beyond the scope of the pending bill.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Mr. deMacedo thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Peterson of Grafton.

Decision
of Chair
sustained,—
yea and nay
No. 262.

After debate on the question: “Shall the decision of the Chair stand as the judgment of the House?”, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 101 members voted in the affirmative and 44 in the negative.

[See Yea and Nay No. 262 in Supplement.]

Therefore the decision of the Chair was sustained.

Mrs. Creedon of Brockton and other members of the House then moved to amend the bill by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Chapter 51 of the General Laws is hereby amended by inserting after section 17 the following section:—

Section 17A. In each municipality, the city or town clerk and the election director shall attend annual training conducted by the office of the state secretary on the applicable state and federal election laws and regulations. Upon completion of the training, they shall inform the board of registrars and election commissioners.”.

The amendment was adopted.

Mrs. O’Connell of Taunton then moved to amend the bill by inserting after section 7A (inserted by amendment) the following two sections:

“SECTION 7B. Section 105 of chapter 54, as appearing in the 2010 Official Edition, is hereby amended, in line 30, by inserting after the words ‘seal up the same’ the following:— with a zip tie that has a unique serial number.

SECTION 7C. Section 107 of chapter 54, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following new language:—

Each candidate for public office may appoint one poll watcher to observe the sealing of the ballots after the polls have closed. Such supervision may not be precluded by any election officer. Upon completion of the sealing of the ballots, the Warden shall provide the serial number of the zip tie used to seal the ballots to any poll watcher upon request.”.

The amendment was adopted.

Mr. Frost of Auburn then moved to amend the bill by striking out sections 3 and 4.

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Frost; and on the roll call 37 members voted in the affirmative and 110 in the negative.

[See Yeas and Nays No. 263 in Supplement.]

The amendment was rejected.

Mr. Durant of Spencer then moved to amend the bill in section 2, in line 15 and also in line 17 and 18, by striking out the words “transmit or otherwise deliver” and inserting in place thereof, in each instance, the words “or deliver personally or by an authorized person”. The amendments were adopted.

Mr. Scaccia of Boston then moved to amend the bill by striking out section 6.

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 10 members voted in the affirmative and 136 in the negative.

[See Yeas and Nays No. 264 in Supplement.]

The amendment was rejected.

Mr. Scaccia of Boston then moved to amend the bill in section 5, in lines 78 to 86, inclusive, by striking out the text contained in those lines and inserting in place thereof the following paragraph:

“(d) (1) The board of registrars or election commission in each municipality where 1 or more precincts selected to be audited are located shall conduct the audit. The board of registrars or election commission may employ tally clerks for the purpose of counting the

Amendment rejected,— yeas and nays No. 263.

Amendment rejected,— yeas and nays No. 264.

Election laws.

ballots. Audits shall not commence prior to the deadline for filing a recount as stated in section 135 of this chapter. The time and place of the audits in each municipality where one or more precincts selected to be audited are located shall be publicly announced in advance. The audits shall be performed in full public view and conducted pursuant to the procedures for hand counts of ballots in section 105.”

Amendment rejected,—
yea and nay
No. 265.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 43 members voted in the affirmative and 105 in the negative.

[See Yea and Nay No. 265 in Supplement.]

The amendment was rejected.

Bill passed to
be engrossed,—
yea and nay
No. 266.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 112 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 266 in Supplement.]

Therefore the bill (House, No. 4120, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Third
reading
bills.

Establishing a sick leave bank for Carl Senna, an employee of the Department of Correction (Senate, No. 2131); and

Establishing a sick leave bank for Judith Christianson, an employee of the Department of Transitional Assistance (Senate, No. 2161, amended);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Id.

Relative to access to epinephrine in schools (House, No. 3959); and
Authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (House, No. 4062);

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.

Second
reading
bills.

The Senate Bill relative to the Essex Regional Retirement System (Senate, No. 2230); and

House bills

Relative to certain banking laws (House, No. 288);

Relative to creation of a reserve fund for credit unions (House, No. 2073);

Relative to trafficking in methamphetamines (House, No. 2220); and

Addressing workplace bullying, mobbing and harassment, without regard to protected class status (House, No. 2310);

Severally were read a second time; and they were ordered to a third reading.

The House Bill validating the proceedings relating to the authorization of debt by the Old Colony Regional Vocational Technical High School District (House, No. 3914), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Old Colony
Regional
School
District.

Pending the question on passing the bill to be engrossed, Mr. O'Day of West Boylston moved to amend it by striking out section 2; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to validate the proceedings relating to the authorization of debt by the Old Colony Regional Vocational Technical High School District, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were adopted; and the bill (House, No. 3914, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders.

On motion of Mr. Binienda of Worcester,—

Ordered, That, notwithstanding the provisions of House Rule 12, the Clerk be authorized to prepare and publish a Calendar for the sitting of Thursday, May 31, containing only the supplemental appropriation bill (House, No. 4132).

Supplemental
appropriation
bill,—
Calendar.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at twelve o'clock noon.

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-four minutes before eight o'clock P.M., (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at twelve o'clock noon.

Thursday, May 31, 2012.

Met according to adjournment at twelve o'clock noon, 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.

Statement Concerning Representative Creedon of Brockton.

A statement of Mrs. Haddad of Somerset concerning Mrs. Creedon of Brockton was spread upon the records of the House, as follows:

Statement concerning Mrs. Creedon of Brockton.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Creedon of Brockton, is unable to be present in the House Chamber for today's sitting due to a previously scheduled medical appointment. Her missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Peisch of Wellesley.

Subsequently a statement of Mrs. Haddad of Somerset concerning Ms. Peisch of Wellesley was spread upon the records of the House, as follows:

Statement concerning Ms. Peisch of Wellesley.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Peisch of Wellesley, is unable to be present in the House Chamber for today's sitting due to a long standing family commitment. Had she been present she would have voted in the affirmative on Roll Call No. 267 and in the negative on Roll call No. 268. Her missing of roll calls today is due entirely to the reason stated.

Resolutions.

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

Ryan Gagne.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Ryan Gagne on receiving the Eagle Award of the Boy Scouts of America;

Daniel Rourke.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Daniel Rourke on receiving the Eagle Award of the Boy Scouts of America;

Stephen D. Keeler.

Resolutions (filed by Ms. Garlick of Needham) congratulating Stephen D. Keeler on receiving the Eagle Award of the Boy Scouts of America;

Nathaniel I. Smith.

Resolutions (filed by Ms. Garlick of Needham) congratulating Nathaniel I. Smith on receiving the Eagle Award of the Boy Scouts of America;

Cancer survivors.

Resolutions (filed by Messrs. Madden of Nantucket and Vieira of Falmouth) recognizing the National Cancer Survivor Day celebration on June 9, 2012; and

Resolutions (filed by Mr. Markey of Dartmouth and other members of the House) congratulating Chancellor Jean F. MacCormack on her exemplary career in public higher education on the occasion of her retirement;

Jean F.
MacCormack.

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 Mr. O'Day of West Boylston, 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 Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4141) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) relative to amending the charter of the town of Chatham. To the committee on Municipalities and Regional Government.

Chatham,—
charter.

By Representative Kocot of Northampton and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4142) of Peter V. Kocot (by vote of the town) that Thomas J. Osley may continue employment with the police department of the town of Hatfield. To the committee on Public Service.

Hatfield,—
Thomas J.
Osley.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to veterans civil service benefits.

Veterans,—
civil service.

By Representatives Turner of Dennis and Peake of Provincetown, a petition (subject to Joint Rule 12) of Cleon H. Turner and Sarah K. Peake for legislation to authorize retirement benefits to employees of the Orleans, Brewster and Eastham Groundwater Protection District.

Cape Cod,—
Groundwater
Protection
District.

Severally, under Rule 24, to the committee on Rules.

Recess.

At five minutes after twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-six minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Papers from the Senate.

The House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101), 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 2275.

General
Appropriation
Bill.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further

Committee of
conference.

Committee of
conference.

motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Dempsey, Kulik of Worthington and deMacedo of Plymouth were appointed the committee on the part of the House. Sent to the Senate to be joined.

Wenham,—
liquor
license.

A Bill relative to the sale of alcoholic beverages in the town of Wenham (Senate, No. 2273) (on Senate bill No. 2231), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Gloucester,—
Purple Heart
Highway.

A petition (accompanied by bill) of Bruce E. Tarr and Ann-Margaret Ferrante for legislation to designate a portion of the Route 128 extension in the city of Gloucester as the Purple Heart Highway, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2286) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

School
transportation,—
drug and
alcohol
testing.

Report of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3962) of Anne M. Gobi and others for legislation to require drivers employed by companies transporting students to submit to alcohol and drug testing.

Under suspension of the rules, on a motion of Mr. Straus of Mat-tapoisett, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Drivers'
licenses,—
decals.

Report of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3993) of Jay R. Kaufman, Kathi-Anne Reinstein and others for legislation to authorize the Registrar of Motor Vehicles to issue reflective decals indicating that the driver of a vehicle may be the holder of a junior operator's license.

Under suspension of the rules, on a motion of Mr. Straus of Mat-tapoisett, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Education,—
access.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 238 and House, Nos. 177, 178 and 1949, a Bill relative to student access to educational services and exclusion from school (House, No. 4131).

Special
education.

By the same member, for the same committee, on House, No. 168, a Bill to provide equal opportunities for special education (House, No. 4136).

By the same member, for the same committee, on House, No. 1071, a Bill strengthening oversight of the delivery of special education services (House, No. 4137). Special education.

By the same member, for the same committee, on House, No. 1959, a Bill to assist parental choice concerning special education placements (House, No. 4138). Id.

By the same member, for the same committee, on House, Nos. 1083 and 1964, a Bill relative to dropout prevention (House, No. 4140). Dropout Prevention.

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

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the management of town buildings, properties and facilities in the town of Foxboro [sic] (House, No. 4052) [Local Approval Received]. Foxborough,—town management.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting the position of deputy police chief in the town of Duxbury from the civil service laws (House, No. 4026) [Local Approval Received]. Duxbury,—civil service exemption.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a recommitment petition, a Bill designating a certain bridge in the city of Lowell as the Gentz Brothers Memorial Bridge (House, No. 3951). Lowell,—Gentz Brothers Bridge.

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

Reconsiderations.

Mr. Kafka of Stoughton moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill reforming election laws (House, No. 4120, amended); and the motion to reconsider prevailed. Election laws,—reform.

Mr. Finn of West Springfield then moved that the vote be reconsidered by which the House, at said sitting, adopted an amendment (offered by him, et als) inserting section 7A; and the motion to reconsider prevailed.

On the recurring question, the amendment was rejected.

Mr. Finn and other members of the House then moved to amend the bill in section 5, in line 35, by striking out the words “state primary preceding a biennial state election,” in lines 37 and 38, and also in line 46, by striking out, in each instance, the words “or a state primary preceding such biennial state election,”; and by inserting after section 7 the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, there shall be established an elections task force. (a) Said task force shall undertake a study of the implementation of ss. 3, 4, 5, and 6 of HB 4120. Said study shall include an analysis of : (1) the state and local costs of implementing said proposals, the costs of increasing access to the Central Registry of Voters, and the availability of federal funding through the Help America Vote Act; (2) the administrative requirements for adopting such a system, including their impact upon poll operations and upon the operation of municipal clerks offices on election day; (3) the possibility of fraud; (4) the effects upon finalizing a vote and possible recounts.

Election laws,—
reform.

(b) The task force shall complete its study and submit its final report in writing to the joint committee on election laws and the state secretary no later than February 1, 2013.

(c) The task force shall consist of the house and senate chairs of the joint committee on election laws; the speaker of the house of representatives or his designee; the president of the senate or her designee; the house minority leader or his designee; the senate minority leader or his designee; the state secretary or his designee; the registrar of motor vehicles or her designee; 3 representatives of the Massachusetts Town Clerks Association, one of whom is the President of the Massachusetts Town Clerk Association (who shall serve as the task force chair), one of whom shall be from a town of between 2,001 and 12,000 inhabitants, and one of whom shall be from a town of 2,000 or fewer inhabitants, 3 representatives of the Massachusetts Municipal Association, one of whom shall be the chief election officer of a city under 100,000 inhabitants, one of who shall be the chief election officer of a city over 100,001 inhabitants; and 1 representative of each of the following groups: the League of Women Voters of Massachusetts, the Massachusetts Chapter of the NAACP, Common Cause, and MassVOTE, and OISTE.”

The amendment was adopted; and the bill was passed to be engrossed. The bill (House, No. 4139, published as amended) then was sent to the Senate for concurrence.

Sudbury,—
senior citizen
tax exemption.

Mr. O’Day of Worcester moved that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (House, No. 4062); and the motion to reconsider prevailed.

Pending the recurring question on passing the bill to be engrossed, it was recommitted to the committee on Bills in the Third Reading, on further motion of the same member.

Orders of the Day.

House bills

Third
reading
bills.

Establishing the Melpet Farm Stable Operations and Improvement Fund for the town of Dennis (House, No. 3845) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to certain reforms to the Massachusetts Department of Transportation (House, No. 4125) (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.

Supplemental
appropriations.

The House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

After remarks on passing the bill to be engrossed, Mr. Dempsey of Haverhill and other members of the House moved to amend it by striking out section 62 (as published); and the amendment was adopted.

Mr. deMacedo of Plymouth and other members of the House then moved to amend the bill by adding the following six sections:

“SECTION 63. Section 76 of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, by striking out, in line 2, the words ‘and, if requested,’ and inserting in place thereof the following:— , valid photo identification issued by the commonwealth of Massachusetts or the government of the United States, as defined in section 76B, and.

SECTION 64. Chapter 54 of the General Laws, as so appearing, is hereby amended, by striking out section 76B in its entirety and inserting in place thereof the following section:—

Section 76B. (a) For the purposes of this chapter, ‘valid photo identification’ shall mean a document that:

(1) shows the name of the individual to whom the document was issued, and the name conforms to the name of the individual’s voter registration record;

(2) shows a photograph of the individual to whom the document was issued;

(3) includes an expiration date, and the document is not expired or expired after the date of the most recent general election; and

(4) was issued by the commonwealth of Massachusetts or the government of the United States.

(b) (1) A person seeking to vote that does not provide sufficient valid photo identification as defined in subsection (a) of this section may be challenged under section 85 of this chapter.

(2) A person seeking to vote that does not provide valid photo identification as defined under subsection (a) of this section may cast a provisional ballot under section 76C.

(c) Nothing in this section shall be construed to deny the rights of any individual who:

(1) is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. sections 1973ff-1 et seq.;

(2) is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. section 1973ee-1(b)(2); or

(3) is otherwise entitled by federal law to vote otherwise than in person.

SECTION 65. Section 76C of Chapter 54 of the General Laws, as so appearing, is hereby amended, by adding after subsection (k) the following new subsection:—

(l) A voter who fails to provide valid photo identification as defined under section 76B and casts a provisional ballot shall be required to provide such identification in person to the city or town clerk, or elections board or commission, of the municipality in which they reside, within 8 business days from the date of the election in which the provisional ballot was cast. A voter who fails to provide such identification in the time specified shall forfeit that vote, and that provisional ballot shall be discarded.

Supplemental
appropriations.

SECTION 66. Section 92 of chapter 54 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, by adding in line 5, after the words ‘eighty-seven,’ the following words:— as well as enclosing in the same envelope a copy of a valid photo identification as defined in section 76B of this chapter..

SECTION 67. Section 8E of Chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended at the end of the first paragraph thereof by adding the following:— The Registry shall provide such identification cards at no cost to any applicant who is eligible to vote.

SECTION 68. Section 63, 64, 65, 66 and 67 of this act shall take effect on April 1, 2013.”.

Pending the question on adoption of the amendment, Mr. Michlewitz of Boston moved to amend it by adding at the end the following section:

“SECTION 69. Notwithstanding any special or general law to the contrary, the provisions of sections 63 to 68, inclusive, shall not take effect until such time as the secretary of the commonwealth, in consultation with the department of revenue, has furnished a study of the impact on the revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on municipalities of varying population levels, the current practice of other states, any anticipated change in employment or staffing levels, to the joint committee on election laws.”

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 105 members voted in the affirmative and 43 in the negative.

[See Ye and Nay No. 267 in Supplement.]

Therefore the further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Scibak of South Hadley then moved to amend the bill by adding the following section:

“SECTION 70. Section 55 of chapter 176 of the Acts of 2011 is hereby amended by striking the words ‘In paying the retirement allowance under the new election, the board, as defined in section 1 of said chapter 32, shall make appropriate adjustments, or arrange for appropriate repayments, upon such terms and condition as the board may prescribe, so as to recover any overpayments resulting from the prior election.’ and inserting in place thereof:—

In paying the retirement allowance under the new election, the board, as defined in section 1 of said chapter 32, shall make appropriate adjustments, or arrange for appropriate repayments, so as to recover any overpayments resulting from the prior election. Any member may make a lump sum payment or installment payments over a period not exceeding five years and may, with the approval of the board, make installment payments over a period exceeding five years.”.

The amendment was adopted.

Ms. Coakley-Rivera of Springfield then moved to amend the bill in section 2 by striking out item 8100-1001 and inserting in place thereof the following item:

Further
amendment
adopted,—
yea and nay
No. 267.

“8100-1001 provided further that no less than \$200,000 shall be expended for the Operation Cutone Springfield Pilot Program \$2,000,000”.

The amendment was rejected.

Mr. Scibak of South Hadley then moved to amend the bill in section 2A, in item 1599-7050, by striking out the figures “150,000” and inserting in place thereof the figures “40,000”; and the amendment was adopted.

Mr. Scibak of South Hadley then moved to amend the bill in section 2A, by striking out item 1599-7051 and inserting in place thereof the following item:

“1599-7051 For a reserve to evaluate the retiree health care cost valuation in the Commonwealth; provided, that funds from this items may be used by the Health Care Security Trust for the study of the operation and structure of the group insurance commission or any other aspects of employee healthcare in agreement with section 58 of chapter 176 of the acts of 2011 \$150,000”.

The amendment was adopted.

Ms. Coakley-Rivera of Springfield then moved to amend the bill in section 2 by inserting after item 8910-8700 the following item:

“7007-0953 For Forest Park Zoo for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents \$300,000”.

The amendment was rejected.

Mr. Bradley of Hingham then moved to amend the bill in section 2 by inserting after item 0340-1198 the following item:

“Office of the Treasurer and Receiver General.

0610-2000 \$250,000”.

The amendment was adopted.

Mr. D.Emilia of Bridgewater then moved to amend the bill in section 2 by inserting after item 1599-3384 the following item:

“2000-0100 For a reserve to meet the cost of proactive eradication and control of larvicide mosquitoes, in order to prevent the spread of eastern equine encephalitis in Bristol and Plymouth Counties \$200,000”.

The amendment was adopted.

Mr. Scibak of South Hadley then moved to amend the bill by adding the following section:

“SECTION 71. Section 58 of Chapter 176 of the Acts of 2011, as amended by section 44 of Chapter 36 of the act of 2012, is hereby further amended by striking the second paragraph and inserting the following paragraph:—

The commission shall consist of 14 members: 1 of whom shall be the secretary of administration and finance, or the secretary’s designee; 1 of whom shall be the treasurer, or the treasurer’s designee; 1 of whom shall be the executive director of the group insurance commission, or

Supplemental appropriations.

the director’s designee; 2 of whom shall be private citizens, appointed by the governor, who shall serve as co-chairs of the commission and 1 of whom shall not be a member of any of the 105 contributory retirement systems; 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 3 of whom shall be members of the senate, 1 of whom shall be appointed by the minority leader; 1 of whom shall be selected by the governor from a list of 3 candidates submitted by the president of the Massachusetts AFL-CIO; 1 of whom shall be a member of the Massachusetts Municipal Association; and 1 of whom shall be a member of the Retired State, County and Municipal Employees Association of Massachusetts. The commission shall file a report of its recommendations and proposed legislation, if any, with the clerks of the house and senate, the chairs of the house and senate committee on ways and means and the chairs of the joint committee on public service not later than November 30, 2012.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2, by inserting after item 2000-0100 (inserted by amendment) the following item:

“EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Department of Public Health.

4512-0225 \$270,000”.

The amendment was adopted.

The same member then moved to amend the bill by striking out section 34 and inserting in place thereof the following section:

“SECTION 34. Section 1 of said chapter 176Q, as so appearing, is hereby further amended by inserting after the definition of ‘Rating factor’ the following two definitions:—

‘Stand alone dental plan’, a non-profit dental service plan offered by a licensed dental service corporation, as those terms are defined in section 1 of chapter 176E, offered independently of a health benefit plan offered through the connector, or offered by (1) an insurer licensed or otherwise authorized to transact accident and health insurance under chapter 175; (2) a nonprofit hospital service corporation organized under chapter 176A; or (3) a nonprofit medical service corporation organized under chapter 176B.

‘Stand alone vision plan’, a non-profit optometric service plan offered by a licensed optometric service corporation, as those terms are defined in section 1 of chapter 176F, offered independently of a health benefit plan offered through the connector, or offered by (1) an insurer licensed or otherwise authorized to transact accident and health insurance under chapter 175; (2) a nonprofit hospital service corporation organized under chapter 176A; or (3) a nonprofit medical service corporation organized under chapter 176B.”;

In section 35, in line 451, in section 36, in line 454, in section 41, in line 475, in section 42, in line 482 and in section 47, in line 508, by inserting after the word “vision”, in each instance, the words “or stand alone dental”; and

In section 59, in line 725, by inserting after the word “services” the words “enumerated in the aforementioned line items”.

The amendments were adopted.

Messrs. Ayers of Quincy and Timilty of Milton then moved to amend the bill by adding the following section:

“SECTION 72. Section 2 of Chapter 68 of the acts of 2011 is hereby amended in item 7008-0900 by adding the following:— \$50,000.00 for the Jonathan Belcher House in Randolph.”.

The amendment was rejected.

Mr. Bastien of Gardner then moved to amend the bill by adding the following three sections:

“SECTION 73. Chapter 148 of the General Laws, as appearing in the Acts of 2010, is hereby amended in section 39 by striking out, in line 10 the following word ‘sparklers,’ and further by striking out, in line 64, the following word ‘birds.’ and adding the following: ‘birds, or (10) sparklers’.

SECTION 74. Chapter 148 of the General Laws, as appearing in the Acts of 2010, is hereby amended in section 1 by adding at the end thereof the following:—

‘Sparklers’, a metal wire or wood dowel that has been coated with a pyrotechnic composition of not more than one hundred grams of pyrotechnic mixture per item, which are non-explosive and non-aerial provided (1) such sparklers do not contain magnesium except for magnalium or magnesium-aluminum alloy, and (2) such sparklers containing any chlorate or perchlorate salts do not exceed five grams of composition per item.

SECTION 75. Section 73 and 74 of this act shall take effect on July 1, 2012.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 40 members voted in the affirmative and 105 in the negative.

Amendment
rejected,—
yea and nay
No. 268.

[See Yea and Nay No. 268 in Supplement.]

Therefore the amendment was rejected.

Mr. Straus of Mattapoisett then moved to amend the bill in section 58 (as published) by adding the following paragraph:

“(k) Notwithstanding any provisions in this section to the contrary, upon the expenditure of one hundred million dollars for the green line extension project the secretary of administration and finance and the secretary of transportation shall file a report with the office of the inspector general, house and senate committees on ways and means, the joint committee on transportation and the clerks of the house of representatives and senate that reviews the success of the CM/GC procurement method and certifies their approval of said procurement method for subsequent expenditures or phases of the green line extension project.”.

The amendment was adopted.

The bill (House, No. 4132, amended) then was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Carla Senna, an employee of the Department of Correction (see Senate, No. 2131), 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.

Carla
Senna,—
sick leave
bank.

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 36 to 0. Sent to the Senate for concurrence.

Judith
Christainson,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Judith Christainson, an employee of the Department of Transitional Assistance (see Senate, No. 2161, 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 48 to 0. Sent to the Senate for concurrence.

Orders.

The following order (filed by Mr. Speliotis of Danvers) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Consumer
Protection and
Professional
Licensure,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, May 30, 2012, within which to make its final report on current House documents numbered 102, 116, 1004, 1016, 1029, 1850, 1883, 1893, 3404, 3405, 3498, 3677, 3760 and 3851, relative to consumer protection and professional licensure related issues in the Commonwealth.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Speliotis, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date "Wednesday, May 30" and inserting in place thereof the date "Thursday, June 28"; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty-seven minutes after four o'clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, June 4, 2012.

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).

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. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. O'Day of West Boylston) congratulating the Children's School and Early Education Department at Quinsigamond Community College on its fortieth anniversary; Quinsigamond Early Education Department.

Resolutions (filed by Representatives Smizik of Brookline, Balsler of Newton, Coppinger of Boston, Khan of Newton, Moran of Boston and Sánchez of Boston) congratulating Ruth Kaplan on being named an honoree by Citizens for Public Schools; Ruth Kaplan.

Resolutions (filed by Messrs. Torrisi of North Andover and Devers of Lawrence) congratulating Elsie Eunice Claus on the occasion of her one hundredth birthday; Elsie Eunice Claus.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Ryan Brecht on receiving the Eagle Award of the Boy Scouts of America; Ryan Brecht.

Resolutions (filed by Mr. Vallee of Franklin) congratulating William Costello on receiving the Eagle Award of the Boy Scouts of America; William Costello.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Matthew Laneve on receiving the Eagle Award of the Boy Scouts of America; Matthew Laneve.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Drew Leonard on receiving the Eagle Award of the Boy Scouts of America; Drew Leonard.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Neil Pfizenmaier on receiving the Eagle Award of the Boy Scouts of America; and Neil Pfizenmaier.

Resolutions (filed by Mr. Webster of Pembroke) on the occasion of the three hundred and seventy-fifth anniversary of the incorporation of the town of Duxbury; Duxbury,—incorporation.

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

Annual Report.

The annual report of the financial condition of the Massachusetts Life Insurance Community Investment Initiative (under the provisions of Section 2 (e) of Chapter 259 of the Acts of 1998) for the calendar year 2011, was placed on file. Life insurance,—community investments.

Petition.

Fairhaven,—
alcoholic
beverages.

Mr. Straus of Mattapoissett presented a petition (accompanied by bill, House, No. 4149) of William M. Straus (by vote of the town) for legislation to authorize the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Papers from the Senate.

General
Appropriation
Bill.

The House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101), came from the Senate with the endorsement that said branch had insisted on its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2275) (in which the House had non-concurred).

Committee of
conference.

The bill bore the further endorsement that said branch had concurred with the House in the appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Brewer, Flanagan and Knapik had been joined as the committee on the part of the Senate.

Brian J.
Waldron,—
sick leave
bank.

A Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trial Court (Senate, No. 2272) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House; and it was placed in the Orders of the Day for the next sitting for a second reading.

Everett,—
vehicle
licenses.

Petition (accompanied by bill, Senate, No. 2276) of Sal N. DiDomenico and Steven Stat Smith (with the approval of the mayor and city council) for legislation to regulate the issuance of second hand motor vehicle licenses in the city of Everett, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committee.

Elder
protective
services.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to elder protective services (House, No. 1965), ought to pass.

Bourne
Water
District,—
land.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill authorizing a lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes (Senate, No. 2215), ought to pass.

Small
businesses.

By Mr. Binienda of Worcester, for the committee on Rules, that the Bill to promote sales tax fairness for Main Street retailers (House, No. 3673), ought to pass.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 4084, a Bill financing improvements to the Commonwealth's transportation system (House, No. 4145). Read; and referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets.

Transportation,—
improvements.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1085, a Bill regarding an analysis of health education in the Commonwealth (House, No. 4148). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Health education,—
analysis.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to school libraries (House, No. 165).

School libraries.

By the same member, for the same committee, on a petition, a Bill relative to special education (House, No. 1062).

Special education.

By the same member, for the same committee, on a petition, a Bill relative to pricing for chapter 71B approved private school programs (House, No. 1923).

Private schools.

By the same member, for the same committee, on a petition, a Bill relative to chapter 71B approved private school pricing rating formula (House, No. 1924).

Id.

By the same member, for the same committee, on a petition, a Bill to promote inclusive transition programs for students with severe disabilities (House, No. 1950).

Disabled students.

By the same member, for the same committee, on House, Nos. 1961 and 2721, a Bill relative to public school facilities (House, No. 1961).

School facilities.

By the same member, for the same committee, on Senate, No. 220 and House, Nos. 138 and 1040, a Bill relative to a special education services for low incidence populations (House, No. 4147).

Special education.

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill providing for opportunities for single-sex schools and classes (House, No. 137). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Single-sex schools.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing the Massworks infrastructure program (House, No. 3619), be scheduled for consideration by the House.

Massworks infrastructure program.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— that the bill be amended by substitution of a bill with the same title (House, No. 3863),— and an amendment previously recommended by the House committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4090),— pending.

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:

Tyringham,—
Peter
Curtin.

Authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (House, No. 3524, changed) [Local Approval Received]; and

Tyringham,—
Rainsford
Morehouse.

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting, the question being, in each instance, on passing the bill to be engrossed.

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:

Fire insurance.
Insurance.

Relating to fire insurance (House, No. 298);

Relative to continuing education of insurance producers (House, No. 300);

Fitness
training.

To encourage well qualified practitioners in the field of personal training (House, No. 1005);

Harvard,—
economic area.

Relative to adding the town of Harvard to the Devens Economic Target Area (House, No. 3717) [Local Approval Received];

Acton and
Boxborough,—
water.

Amending Chapter 372 of the Acts of 1963 relative to the rights of the water supply district of Acton to acquire any water source in the town of Boxborough (House, No. 3820);

Lowell,—
Gentz Bridge.

Designating a certain bridge in the city of Lowell as the Gentz Brothers Memorial Bridge (House, No. 3951);

Worcester,—
park land.

Authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033) [Local Approval Received]; and

Foxborough,—
town
buildings,
etc.

Relative to the management of town buildings, properties and facilities in the town of Foxboro (House, No. 4052) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Paula
Connolly,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Paula Connolly, an employee of the Trial Court (see House, No. 3844), 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 3 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
Establishing a sick leave bank for Carla Senna, an employee of the Department of Correction (see Senate, No. 2131); and

Establishing a sick leave bank for Judith Christainson, an employee of the Department of Transitional Assistance (see Senate, No. 2161, amended):

(Which severally originated in the Senate);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Reconsideration.

Mr. Dempsey of Haverhill asked that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132, amended); and the motion to reconsider was entertained; and it prevailed.

Supplemental appropriations.

The same member then moved to amend the bill in section 26, in lines 387 and 388, by striking out the following: “for the years 2014, 2015 and 2016”; by striking out section 28 and inserting in place thereof the following section:

“SECTION 28. Chapter 176J of the General Laws is hereby further amended by striking out section 8, as so appearing, and inserting in place thereof the following section:—

Section 8. The commissioner shall have the authority to study the implementation of, establish, if warranted, and supervise of a Transitional Reinsurance Program, according to section 1341 of the federal Affordable Care Act, or, if the commissioner believes that such program is not appropriate for the commonwealth, to apply for any appropriate waiver from the requirement to implement such program. The commissioner may promulgate regulations to enforce the provisions of this section.”; and by striking sections 60 and 61.

The amendments were adopted; and the bill was passed to be engrossed. The bill (House, No. 4144, published as amended) then was sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Authorizing the town of Plymouth to make improvements on unaccepted roads (Senate, No. 1049);

Third reading bills.

Authorizing the town of Plymouth to establish another post-employment benefits fund (Senate, No. 2030); and

Amending the charter of the town of Bourne (Senate, No. 2114, amended);

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.

The House Bill establishing a Fragile X Awareness Day (House, No. 843), 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. Sent to the Senate for concurrence.

Third reading bill.



Sudbury,—
property tax
exemption.

The House Bill authorizing the town of Sudbury to establish a means tested senior citizens property tax exemption (House, No. 4062), 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, Mr. Conroy of Wayland moved to amend it in section 1, in line 4, by striking out the words "household income" and inserting in place thereof the words "qualifying income for purposes of the states' 'circuit breaker' income tax credit", in line 6, by striking out the word "household" and inserting in place thereof the word "qualifying"; in section 2, in line 16, by striking out the word "spouses" and inserting in place thereof the word "persons", in line 17, by inserting after the word "year" the following: "and if the joint applicant is 60 years of age or older"; in section 3, in lines 29 and 30, by striking out the words "as an additional tax levy on all other residential taxpayers not eligible for this exemption" and inserting in place thereof the words "within the tax levy on all residential taxpayers", in line 35, by striking out the word "household" and inserting in place thereof the word "qualifying"; and by striking out section 8 (as published) and inserting in place thereof the following two sections:

"SECTION 7. No exemption shall be granted under this act until the Department of Revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 8. This act shall expire after 3 years of implementation of the exemption."

The amendments were adopted; and the bill (House, No. 4062, amended) 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 tomorrow at one o'clock P.M.

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at one o'clock P.M.

Tuesday, June 5, 2012.

Met at eight minutes after one o'clock P.M., 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.

Silent Prayer.

At the request of Mr. Puppolo of Springfield, the members, guests and employees stood in a moment of silent prayer in honor of and in respect to the memory of Springfield Police Officer Kevin Ambrose, who was killed in the line of duty on Monday, June 4, 2012 in Springfield. Kevin was a member of the department for 36 years. He leaves behind his wife, two children, a granddaughter, his father, a brother and his sisters.

Springfield Police Officer Kevin Ambrose.

Guests of the House.

During the session, the Chair (Mrs. Haddad of Somerset) declared a brief recess and introduced Major General Glenn Lesniak, Deputy Commanding General, U. S. Army Reserve and Colonel Lee Cummings, Commander of the 3rd Legal Support Organization. They were the guests of Mr. Naughton of Clinton.

Major General Lesniak and Colonel Cummings.

Resolutions.

Resolutions (filed with the Clerk by Mr. Scaccia of Boston) commending Matthew L. Richardson for his dedication and service to the Lions Club International and his service as District Governor of the Lions of Massachusetts, District 33K in 2011-2012, were referred, under Rule 85, to the committee on Rules.

Matthew L. Richardson.

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

Petition.

Mr. Swan of Springfield presented a petition (accompanied by bill, House, No. 4114) of Benjamin Swan (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to reinstate and pay certain retirement benefits to Derek Cook, a former member of the Springfield Retirement System; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Springfield,—Derek Cook.

Papers from the Senate.

Horseneck
Beach,—
fund.

A Bill establishing a Horseneck Beach reservation trust fund (Senate, No. 376, amended in line 2 by striking out the following: “35OO” and inserting in place thereof the following: “35SS”, and in line 3 by striking out the following: “35PP” and inserting in place thereof the following: “35TT”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Hinsdale,—
Johns
Highway.

Petition (accompanied by bill, Senate, No. 2292) of Benjamin B. Downing and Paul W. Mark for legislation to designate a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns Memorial Highway.

Route 116
scenic
byway.

Petition (accompanied by bill, Senate, No. 2293) of Benjamin B. Downing for legislation to amend the state highway Route 116 Scenic Byway.

Severally to the committee on Transportation.

Reports of Committees.

Chereel
Stafilopatis,—
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 Linda Dorcena Forry for legislation to establish a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services. Under suspension of the rules, on motion of Mr. Kane of Holyoke, 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.

Asthma.

By Mr. Sánchez of Boston, for the committee on Public Health, on Senate, Nos. 1066, 1100 and 1125 and House, Nos. 624, 1465, 1466 and 1524, a Bill relative to improving asthma in schools (House, No. 4153). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

School choice
reimbursement.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate No. 181 and House, No. 162, a Bill to increase accountability in school choice reimbursement (House, No. 4150).

Mobile
student
populations.

By the same member, for the same committee, on Senate No. 209 and House, No. 1954, a Bill relative to promoting excellence and accountability for the education of mobile student populations (House, No. 4151).

Reading
proficiency.

By the same member, for the same committee, on Senate Nos. 178 and 188 and House, Nos. 172 and 1853, a Bill relative to third grade reading proficiency (House, No. 4152).

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

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to education funding for charter schools (House, No. 3597, changed in line 1 by striking out the following: “(nn)” and inserting in place thereof the following: “(ff)”); in line 5 by striking out the figures: “5,000” and inserting in place thereof the figures: “3,000”, and in line 9 by inserting after the word “calculated” the words: “using the above foundation spending percentage”). Read; and referred, under Rule 7A, to the committee of Steering, Policy and Scheduling.

Charter schools,—
funding.

Engrossed Bills.

Engrossed bills

Authorizing the town of Plymouth to make improvements on unaccepted roads (see Senate, No. 1049);

Bills enacted.

Amending the charter of the town of Bourne (see Senate, No. 2114);

Authorizing the town of Plymouth to establish another post-employment benefits fund (see Senate, No. 2030);

(Which severally originated in the Senate); and

Exempting Sean C. Lewis, Sr. from the maximum age requirement for appointment as a firefighter in the town of North Andover (see House, No. 3593) (which originated in 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.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

Mrs. Haddad of Somerset being in the Chair,—

The Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, and read a third time, under suspension of Rule 47, on motion of Mr. Walsh of Lynn.

Health care,—
quality and
cost.

After remarks on the question on passing the bill to be engrossed, the same member moved to amend it in section 200 (inserted by the committee on Bills in the Third Reading), in the fourth sentence, by striking out the figures “0.2” and inserting in place thereof the figures “0.1”; and the amendment was adopted.

Mr. Basile of Boston then moved to amend the bill in section 136, in line 3093, by inserting after clause (6) the following clause:

“7.) The forms shall allow the incorporation of personalized medicine, diagnostic information, and where relevant, personalized genomic, metabolic, cellular and anatomic data.”.

The amendment was adopted.

The same member then moved to amend the bill by adding the following section:

“SECTION 219. Section 9 of Chapter 330 of the Statutes of 1994, as amended by Section 3 of Chapter 63 of the Statutes of 1995, is amended by striking out section 6 therein and inserting in place thereof the following:—

Health care,—
quality and
cost.

Section 6. Upon the approval of the commissioner, the medical professional mutual insurance company, may for any purposes, including, but not limited to the fixing of separate percentages of dividends under section eighty of chapter one hundred and seventy-five, consider the business of each category of health care provider as a separate line of business; provided, however, that the doctor of dental science category of insured shall continue to be treated as a separate line of business by the medical professional mutual insurance company to the extent required by chapter ninety-two of the acts of nineteen hundred and ninety-one, and, as promptly as possible after the effective date of this act, any excess surplus of the association as determined by the commissioner attributable to the doctor of dental science category of business as of the effective date of the conversion shall be paid as a dividend by the mutual company for the benefit of the association's doctor of dental science policyholders entitled thereto in accordance with the methodology established and employed by the association for the payment of dividends to its doctor of dental science policyholders prior to the date of the conversion. Any person in the doctor of dental science category of insureds who was insured by the association at the time of the conversion may elect to continue to be insured by the mutual company by specifically assigning in writing this first dividend to be paid after the effective date of this act back to the mutual company.

Effective January first, two thousand and eleven, all excess surplus as determined by the commissioner, allocable to doctor of dental science policies issued by the company at any time on or prior to December thirty-first, two thousand and ten, shall be paid annually, on or about July first of the following year, as a dividend to those persons, firms and entities entitled thereto, pursuant to the methodology established and employed by the association for the distribution of such dividends prior to the conversion. No portion of such excess surplus as determined by the commissioner shall be used or allocated for any other purpose or purposes and upon the payment of such dividend, there shall be no excess surplus allocable to those doctor of dental science policies issued by the company at any time on or prior to December thirty-first, two thousand and ten. The medical professional mutual insurance company shall annually notify each person, firm or entity entitled to such dividend of the amount of such dividend to which he is entitled. For the purposes of this section, 'excess surplus' shall mean any surplus allocable to the association's doctor of dental science category of insureds beyond an amount determined by the commissioner to be reasonably necessary as a margin against adverse development."

The amendment was adopted.

Mr. Chan of Quincy then moved to amend the bill by adding the following section:

"SECTION 220. Section 3 of chapter 176D, as appearing in the 2010 official edition, is hereby amended by inserting after every occurrence of words 'medical service corporation', the following words:—accountable care organization."

The amendment was adopted.

Messrs. Chan and Walsh of Lynn then moved to amend the bill in section 121, in line 2020, by inserting after the word "website." the following clause:

“(d) In designing the website, the division may conduct research regarding ease of use of the website by health care consumers, consult with organizations that represent health care consumers, and conduct focus groups that represent a cross section of health care consumers in the commonwealth, including low income consumers and consumers with limited literacy. The website shall comply with the Americans with Disabilities Act.”.

The amendment was adopted.

Mr. Mariano of Quincy then moved to amend the bill by inserting after section 143 the following section:

“SECTION 143A. Subsection (b) of section 6 of Chapter 176J of the General laws, as so appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(xi) For purposes of this section, medical loss ratios shall not include fees on commissions included in premiums that are collected solely for the purpose of passing such fees or commissions on to insurance agents or brokers to the extent such fees or commissions are actually paid.”.

The amendment was adopted.

Mr. Scibak of South Hadley then moved to amend the bill in section 124, in line 2885, by inserting after the word “periods.” the following clause:

“(e) The division may evaluate and provide guidance to ACO’s regarding the appropriate use and ordering of medically necessary testing enabled through testing protocols and clinical integration of health care providers within and outside of the organization, including, but not limited to the medical director of the clinical laboratory.”.

The amendment was adopted.

Messrs. Sciortino of Medford and Rushing of Boston then moved to amend the bill in section 123, in line 2615, by inserting after the word “status.” the following sentence: “No patient may be refused care for opting out of the health information exchange, or for withholding their HIV related information from the health information exchange.”; and the amendment was adopted.

Mr. Cabral of New Bedford then moved to amend the bill in section 123, in line 2667, by striking out the following: “chapter 111” and inserting in place thereof the following: “chapter 118G”; and the amendment was adopted.

The same member then moved to amend the bill in section 50, in line 1821, by inserting after the words “limited to,” the following: “health care services, as defined in section 1 of chapter 118G of the General Laws.”; and the amendment was adopted.

Mr. Collins of Boston then moved to amend the bill in section 66, in lines 540 through 543, inclusive, by striking out clause (i) and inserting in place thereof the following clause:

“(i) If a system or one or more of its facilities (1) has entered into one or more alternative payment methodology contracts, as defined in section 1 of chapter 118G, and (2) receives payment through an alternative payment methodology for at least 50 per cent of the total number of patients of such system who are assigned to primary care providers within such system, the provisions of this section shall not apply such system or to any facility within such system.”; and by adding the following section:

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“SECTION 221. Section 66 shall take effect on January 1, 2014.”.

The amendments were adopted.

Mr. Murphy of Weymouth then moved to amend the bill in section 96, in line 1203, by striking out the word “care” and inserting in place thereof the word “plan”; and the amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill by adding the following section:

“SECTION 222. Notwithstanding any general or special law to the contrary, the state Medicaid office is hereby authorized to establish a pilot program with an external service provider to determine the effectiveness of various fraud management tools to identify potential fraud at claims submission and validation in order to reduce Medicaid fraud prior to payment; provided further, that said pilot program shall evaluate current Medicaid spending programs and utilize said fraud management services to determine the efficacy of current practices. The pilot program shall utilize only vendors currently engaged in systemic waste and fraud detection services. Selected vendor(s) shall not use any data provided to them for any other purpose than waste and fraud detection, shall destroy all data after the completion of their evaluation(s) and may not share the results of the data analysis with any outside entities. The executive office of health and human services shall submit 2 reports to the house and senate committees on ways and means detailing recoveries and offsets generated by said audits; provided that the first report shall be delivered no later than February 1, 2014 and that the second report shall be delivered no later than December 31, 2015.”.

The amendment was adopted.

Ms. Andrews of Orange then moved to amend the bill in section 134, in line 3037, by striking out the word “a” and inserting in place thereof the words “an approved”; and the amendment was adopted.

Mr. Fennell of Lynn then moved to amend the bill in section 121, in line 1922, by inserting after the word “assistance” the following: “; provided any such interagency agreement with the Department of Revenue shall meet all applicable federal and state privacy and security requirements, including requirements imposed by the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, the American Recovery and Reinvestment Act of 2009, P.L. 111-5, 42 C.F.R. §§2.11 et seq” and 45 C.F.R. §§160, 162, 164 and 170 and shall not cause patient payment to Department of Revenue through use of protected health information”. The amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill in section 121, in line 2211, by striking out the figure “6” and inserting in place thereof the figure “7”, and, in lines 2233, 2234 and 2235, by striking out the paragraph contained in those lines. The amendments were adopted.

Representatives Balsler of Newton and Malia of Boston then moved to amend the bill in section 121, in line 2154, by inserting after the word “nature” the words “and is not in the public interest to disclose. Utilization review criteria, medical necessity criteria and protocols must be made available to the public at no charge regardless of proprietary claims.”. The amendment was adopted.

Mr. Nangle of Lowell then moved to amend the bill in section 136, in line 3093, by inserting after the word “authorization.” the following clause:

“(e) Nothing in this section shall limit a health plan from requiring prior authorization for services.”

The amendment was adopted.

The same member then moved to amend the bill in section 124, in line 2914, by striking out the word “may” and inserting in place thereof the word “shall”; and the amendment was adopted.

Representatives Balser of Newton and Malia of Boston then moved to amend the bill by inserting after section 167 the following two sections:

“SECTION 167A. Subsection (a) of section 12 of chapter 176O of the General Laws is hereby amended by adding at the end of the second paragraph the following:— and made easily accessible and up-to-date on a carrier or utilization review organization’s website to subscribers, health care providers and the general public. If a carrier or utilization review organization intends either to implement a new preauthorization requirement or restriction or amend an existing requirement or restriction, the carrier or utilization review organization shall ensure that the new or amended requirement or restriction shall not be implemented unless the carrier’s or utilization review organization’s website has been updated to reflect the new or amended requirement or restriction.

SECTION 167B. Section 16 of chapter 176O of the General Laws is hereby amended by striking subsection (b) and inserting in place thereof the following subsection:—

(b) A carrier shall be required to pay for health care services ordered by a treating physician or primary care provider if: (1) the services are a covered benefit under the insured’s health benefit plan; and (2) the services are medically necessary. A carrier may develop guidelines to be used in applying the standard of medical necessity, as defined in this subsection. Any such medical necessity guidelines utilized by a carrier in making coverage determinations shall be: (i) developed with input from practicing physicians and participating providers in the carrier’s or utilization review organization’s service area; (ii) developed under the standards adopted by national accreditation organizations; (iii) updated at least biennially or more often as new treatments, applications and technologies are adopted as generally accepted professional medical practice; and (iv) evidence-based, if practicable. In applying such guidelines, a carrier shall consider the individual health care needs of the insured. Any such medical necessity guidelines criteria shall be applied consistently by a carrier or a utilization review organization and made easily accessible and up-to-date on a carrier or utilization review organization’s website to subscribers, health care providers and the general public. If a carrier or utilization review organization intends either to implement a new medical necessity guideline or amend an existing requirement or restriction, the carrier or utilization review organization shall ensure that the new or amended requirement or restriction shall not be implemented unless the carrier’s or utilization review organization’s website has been updated to reflect the new or amended requirement or restriction.”

The amendment was adopted.

The same members then moved to amend the bill by adding the following section:

“SECTION 223. Chapter 26 of the General Laws is hereby amended by adding after section 8J the following section:—

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Section 8K. The commissioner of insurance is hereby authorized to implement applicable provisions of the federal Mental Health Parity and Addiction Equity Act, as codified in Title XVII the Public Health Service Act, 42 USC Sec. 300gg-26, in regards to any carrier licensed under chapters 175, 176A, 176B and 176G.”.

The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 136, in lines 3074 and 3110, by striking out the year “2013” and inserting in place thereof, in each instance, the year “2014”. The amendment was adopted.

The same member then moved to amend the bill in section 200 (inserted by the committee on Bills in the Third Reading), in paragraph (b), at the end of the fifth sentence, by inserting after the year “2012” the following: “; provided further that such one-time assessment funds shall be collected in such manner to allow periodic payments over a three year period”; and the amendment was adopted.

Mr. Walsh of Lynn then moved to amend the bill in section 4, in line 14, by striking out the figures “65 (as published)” and inserting in place thereof the figures “63”;

In section 11, in line 52, by striking out the words “health care cost growth” and inserting in place thereof the words “medical spend”;

In section 12, in line 133, by striking out the word “car” and inserting in place thereof the word “care”;

In section 17, in line 178, by striking out the figures “62” and inserting in place thereof the figures “60”, in line 189, by striking out the figures “64” and inserting in place thereof the figures “61” and in line 195, by striking out the figures “62” and inserting in place thereof the figures “60”;

In section 97, in line 1096, by inserting before the word “supervises” the word “who”;

In section 98, in line 1201, by striking out the word “provider” and inserting the word “physician”;

In section 101, in line 1297, by striking out the figures “59” and inserting the figures “57”;

In section 121, in line 1541, by striking out the word “shall” and inserting in place thereof the word “may”, in line 1545, by striking out the words “Providers and payers” and inserting in place thereof the word “Payers”, in line 1548, by striking out the words “provider or”, in line 1592, by striking out the figures “68” and inserting in place thereof the figures: “65”, in line 1624, by inserting after the word “potential” the word “gross”, in line 1636, by inserting after the following: “subsection (a)” the words “for each region”, in line 1646, by striking out the word “the. (the second time it appears) and inserting in place thereof the word “a”, in line 1675, by striking out the word “provider” and inserting in place thereof the words “clinic, hospital, ambulatory surgical center”, in line 1790, by inserting after the word “care” the word “services”, in line 1792, by striking out the word “health” and inserting in place thereof the following word “health”, in line 1981, by striking out the word “showing” and inserting in place thereof the word “show”, in line 2054, by inserting after the word “providers,” the word “and”, in line 2068, by striking out the figures “59” and inserting in place thereof the figures “60”, in line 2096, by

striking out the figures "58" and inserting in place thereof the figures "59" and in line 2183, by striking out the following: "ACOs" and inserting in place thereof the following: "ACO";

In section 124, in line 2738, by striking out the figures: "65" and inserting in place thereof the figures: "63", in line 2892, by striking out the word "their" and inserting in place thereof the word "its";

In section 135, in line 3040 and in line and 3051, in section 136, in line 3062, in section 139, in lines 3119 and 3130, in section 140, in lines 3137 and 3148, in section 141, in lines 3155 and 3166, in section 150, in line 3214 and in lines 3224, by striking out figures: "50" and inserting in place thereof, in each instance, the figures: "51"; and

In section 157, in line 3268, in section 161, in line 3287, in section 165, in line 3395, and in section 168, in line 3407, by striking out the figures "65" and inserting in place thereof, in each instance, the figures "63".

The amendments were adopted.

Mr. Basile of Boston then moved to amend the bill in section 189 (as published), in lines 3771 to 3774, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

"SECTION 186. Following an evaluation by the office of the attorney general, pursuant to section 11M of Chapter 12 of the General Laws, relating to the need of the commonwealth to obtain waivers from certain provisions of federal law including, from the federal office of the inspector general, a waiver of the provisions or expansion of the "safe harbors. provided for under 42 U.S.C. section 1320a-7b; and a waiver of the provisions of 42 U.S.C. section 1395nn(a) to (e), and upon a determination by the attorney general that such waiver or exemption is necessary, the division of health care cost and quality shall, by August 15, 2012, request from the federal office of the inspector general the following:"

The amendment was adopted.

Mr. Chan of Quincy then moved that bill amended by adding the following section:

"SECTION 224. There shall be a long-term services and supports advisory committee to advise the general court, the office of Medicaid, and other state agencies on opportunities to improve health care cost and quality through community-based long-term care services. The commission shall consist of the following 16 members and shall be jointly chaired by a member of the house of representatives and a member of the senate: 2 representatives of the house of representatives, 1 of whom shall be chosen by the minority leader; 2 representatives of the senate, 1 of whom shall be chosen by the minority leader; the director of the office of medicaid or a designee; the secretary of elder affairs or a designee; the commissioner of health care finance and policy or a designee; the commissioner of public health or a designee; the secretary of administration and finance or a designee; and 7 appointees of the governor, 2 of whom shall be consumer representatives and 5 of whom shall be representatives of community-based long-term care providers, of which at least 2 are for-profit entities, and all of which represent services approved by the Medicaid State Plan.

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The advisory committee shall evaluate the effect of long-term services and supports on reducing health care costs and improving health care quality and shall recommend opportunities to improve or expand existing long-term services and support programs including, but not limited to, implementation of value-based purchasing strategies and the development and deployment of an electronic community care record for community-based long-term care services. The committee shall report the results of its study, together with drafts of legislation, if any, necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and the senate who shall forward a copy of the study to the house and senate committees on ways and means and the joint committee on health care financing not later than January 15, 2013.”

The amendment was rejected.

Ms. Andrews of Orange then moved that the bill be amended by adding the following section:

“SECTION 224. (a) Notwithstanding any general or special law to the contrary, there shall be established a health care executive compensation task force. The task force shall consist of the house and senate chairs of the joint committee on labor and workforce development, who shall serve as co-chairs; the speaker of the house of representatives or his designee; the president of the senate or her designee; the house minority leader or his designee, the senate minority leader or his designee, the governor or his designee; the state auditor or her designee; the state treasurer or his designee; the attorney general or her designee; the secretary of labor and workforce development or her designee; and 2 representatives from the general public with expertise in competitive compensation and organizational design to be selected by the co-chairs of said task force.

(b) The task force shall undertake a study of various legislative proposals to amend health care and labor laws, including, but not limited to executive compensation. Said study shall include, but not be limited to, an analysis of: (1) a 20 year comprehensive analysis of total executive compensation, including wages, stock options and benefits, in the absolute and in comparison to the hourly workforce; (2) executive compensation as a percent of health care product, service and delivery costs; and (3) executive compensation trends relative to the consumer price index.

(c) The task force shall complete its study and submit its final report in writing to the joint committee on labor and workforce development, the joint committee on health care financing, the attorney general and the governor on or before July, 1 2013. Said report shall include recommendations for legislation and a fiscal note for implementing such legislation.”

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 7 members voted in the affirmative and 146 in the negative.

[See Yeas and Nays No. 269 in Supplement.]

[Mr. Madden of Nantucket answered “Present” in response to his name.]

The amendment was rejected.

Amendment
rejected,—
yea and nay
No. 269.

Messrs. Mark of Peru and Brodeur of Melrose moved that the bill be amended in section 45, in line 1562, by striking out the words “scientifically based health care” and inserting in place thereof the words “evidence based healthcare based on the most recently published peer reviewed literature, professional consensus, or best practices.”. The amendment was adopted.

Ms. Spiliotis of Peabody then moved to amend the bill in section 123, in line 2645, and also in line 2666, by inserting after the word “providers” each time it appears, the words “including but not limited to those”, and, in line 2645, and also in line 2666, by striking out the word “as”; and in line 2668 by adding after the word “requirements” the words “; provided, further that the executive office shall make said loan funding available to providers of rehabilitative/habilitative services such as physical therapy, occupational therapy and prosthetics and orthotics practitioners”. The amendments were adopted.

Ms. Forry of Boston and other members of the House then moved to amend the bill [A] by inserting after section 130 the following section:

“SECTION 130A. Said subsection (c) of said section 188 of said chapter 149, as so amended, is hereby further amended by adding the following clause:—

(11) In calculating the fair share assessment, employees who have qualifying health insurance coverage from a spouse, parent, veteran’s plan, Medicare, Medicaid or a plan or plans due to a disability or retirement shall not be included in the numerator or denominator for purposes of determining whether an employer is a contributing employer, as defined in 114.5 CMR 16.02.”; and by inserting after section 201 the following section:

“SECTION 201A. Section 130A shall take effect on February 1, 2013.”.

Pending the question on adoption of the amendments, Ms. Forry and other members of the House moved that it be amended by striking out the text of said amendment [at “A”] and inserting in place thereof the following:— in section 130, in line 2949, by inserting after the word “section” the words “seasonal employees and”, in line 2950, by inserting after the word “employees.” the following definition:

“‘Seasonal employee.’ A seasonal employee as defined in Chapter 151A, Section 1.” and in line 2952, by striking out the figures “11” and inserting in place thereof the figures “21”;

By inserting after said section the following two sections:

“SECTION 130A. Said subsection (c) of said section 188 of said chapter 149, as so amended, is hereby further amended by adding the following clause:—

(11) In calculating the fair share assessment, employees who have qualifying health insurance coverage from a spouse, parent, veteran’s plan, or a plan due to disability or retirement shall not be included in the numerator or denominator for purposes of determining whether an employer is a contributing employer, as defined by the authority. The employer shall keep and maintain proof of their employee’s insurance status, in a reasonable manner as defined by the authority.

SECTION 130B. Section 1 of Chapter 151A of the General Laws, as appearing, is hereby amended by striking out the definition of ‘Seasonal Employee’ and inserting in place thereof the following:—

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“Seasonal Employee”, shall mean any employee who:

(1) Is employed by any employer, whether the employer is a seasonal employer as defined in Chapter 151A, Section 1 or any other employer, in seasonal employment during a regularly recurring period or period of up to sixteen consecutive weeks in a calendar year for all such seasonal periods, as determined by the director of unemployment assistance in consultation with the employer, and

(2) Has been hired for a specific temporary seasonal period as determined by the director of unemployment assistance in consultation with the employer; and

(3) Has been notified in writing at the time hired, or immediately following the seasonal determination by the department, whichever is later:

(A) That the individual is performing services in seasonal employment for a specified season; and

(B) That the individual’s employment is limited to the beginning and ending dates of the employer’s seasonal period as determined by the department in consultation with the employer.”; and by inserting after section 201 (as printed) the following section:

“SECTION 218A. Section 130A shall take effect on February 1, 2013.”

Further
amendment
adopted,—
yea and nay
No. 270.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Ms. Forry; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 270 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following section:

“SECTION 224. Notwithstanding any general or special law to the contrary, physicians licensed in a state other than Massachusetts shall not be prohibited from providing medical advice, diagnoses, treatments and prescriptions when they communicate with patients through internet-based videoconferences when the physicians are located in the state where they are licensed and the patient is located in Massachusetts at the time of the advice, diagnosis, treatment or prescription. Any such internet-based technology shall include visual and audio notice to patients that the physicians are not licensed in Massachusetts.”

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 225. The secretary of administration and finance in conjunction with the secretary of health and human services shall evaluate the feasibility of contracting for recycling durable medical equipment purchased and issued by the commonwealth through any and all of its medical assistance programs.

Said evaluation shall include, but not be limited to, a request for qualifications or proposals for entities capable of developing, implementing and operating a system of recycling whereby an inventory of such equipment is developed and managed so as to maximize the quality of service delivery to equipment recipients and to minimize costs and losses attributable to waste, fraud or abuse.

The secretary of administration and finance shall report to the joint committee on health care financing, the house committee on ways and means and the senate committee on ways and means the findings of said evaluation, together with cost estimates for the operation of a recycling program, estimates of the savings it would generate, and legislative recommendations not later than October 31, 2012.”

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 226. Notwithstanding any general or special law to the contrary, it shall be the policy of the general court to impose a moratorium on all new mandated health benefit legislation until December 31, 2015.”

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 34 members voted in the affirmative and 120 in the negative.

Amendment
rejected,—
yea and nay
No. 271.

[See Yea and Nay No. 271 in Supplement.]

[Mr. Madden of Nantucket answered “Present” in response to his name.]

Therefore the amendment was rejected.

Mr. Lewis of Winchester then moved to amend the bill in section 17, in line 223, by adding the following sentence: “There shall be an initial transfer of \$20,000,000 out of said fund to the wellness and prevention trust fund as established under section 75 of chapter 10”. After remarks the amendment was adopted.

Messrs. Golden of Lowell, Walsh of Boston and Walsh of Lynn then moved to amend the bill in section 98, in lines 1229, 1230 and 1231, by striking out the sentence contained in those lines and inserting in place thereof the following two sentences: “Sections 9A, 45, 46, and 46C of chapter 30, chapter 31 and chapter 150E shall not apply to the executive director of the division. Sections 45, 46 and 46C of chapter 30 shall not apply to any employee of the division.”. The amendment was adopted.

Mr. Pignatelli of Lenox then moved to amend the bill in section 98, in lines 1195 to 1209, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(b) There shall be a board, with duties and powers established by this chapter, which shall govern the division. The board shall consist of 12 members: the secretary of administration and finance, ex officio; the secretary of health and human services, ex officio; the commissioner of the division of insurance, ex officio; 9 members appointed by the governor, provided that each organization named herein shall provide the governor with three names from which to select an appointee, and the governor shall select a nominee from the list of names provided; including 1 independent expert in payment methodologies, 1 representative of the Massachusetts Association of Health Plans, 1 representative of the Blue Cross Blue Shield of Massachusetts, 1 representative of the Massachusetts Hospital Association, 1 representative of the Massachusetts Medical Society, 1 representative of a fully insured employer, 1 representative of a self insured employer,

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1 consumer representative, and 1 labor union representative. The chairperson shall be selected by majority vote, provided however, for the first 30 days the governor shall designate an interim chairperson. The chairperson shall serve for a term of one year and is not permitted to serve consecutive terms. The board shall annually elect 1 of its members to serve as vice-chairperson. All board appointments shall serve a term of 3 years, but a person appointed to fill a vacancy shall serve only for the unexpired term. An appointed member of the board shall be eligible for reappointment. Each member of the board serving ex officio may appoint a designee under section 6A of chapter 30.”; and in line 1225 by striking the following “(e) The chairperson shall appoint an executive director.” and inserting in place thereof the following “(e) The chairperson shall nominate an executive director. Such nomination shall be subject to confirmation by the board.”.

The amendment was rejected.

The same member then moved to amend the bill in section 121, in line 2097, by inserting after the words “for medical” the words “or nursing”. The amendment was adopted.

Mr. Pignatelli then moved to amend the bill in section 97, in line 1092, by inserting after the word “commonwealth” the words “, or a doctor of podiatric medicine licensed to practice in the commonwealth.”. The amendment was rejected.

Mr. Cusack of Braintree then moved to amend the bill by adding the following section:

“SECTION 225A. Chapter 111 of the General Laws is hereby amended by striking out the definition of ‘clinic’ in section 52, and inserting in place thereof the following definition:—

‘Clinic’, any entity, however organized, whether conducted for profit or not for profit, which is advertised, announced, established, or maintained for the purpose of providing ambulatory medical, surgical, dental, physical rehabilitation, or mental health services. In addition, ‘clinic’ shall include any entity, however organized, whether conducted for profit or not for profit, which is advertised, announced, established, or maintained under a name which includes the word ‘clinic’, ‘dispensary’, or ‘institute’, and which suggests that ambulatory medical, surgical, dental, physical rehabilitation, or mental health services are rendered therein. With respect to any entity which is not advertised, announced, established, or maintained under one of the names in the preceding sentence, ‘clinic’ shall not include a medical office building, a location operated by a corporation organized under chapter 180 for purposes that include the practice of medicine, or one or more practitioners engaged in a solo or group practice, however organized, so long as such practice is wholly owned and controlled by one or more of the practitioners so associated, or a clinic established solely to provide service to employees or students of such corporation or institution; provided, however, that an entity exempt from licensure under this sentence may obtain a license for some, or all, of its locations. For purposes of this section, clinic shall not include a clinic conducted by a hospital licensed under section fifty-one or by the federal government or the commonwealth.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 226. Notwithstanding any general or special law, rule or regulation to the contrary, no additional benefit, procedure or service shall be required for minimum creditable coverage, so-called, without prior legislative authorization therefore.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 227. The office of Medicaid and the department of unemployment assistance shall, in consultation with the executive office of health and human services, develop and implement a means by which the office of Medicaid may access information as to the status of or termination of unemployment benefits and the associated insurance coverage by the medical security plan, as administered by the executive office of labor and workforce development, for the purposes of determination of eligibility for those individuals applying for benefits through health care insurance programs administered by the executive office of health and human services. The office and the department shall implement this system not later than 3 months following the passage of this act; provided, however, that if legislative action is required prior to implementation, recommendations for such action shall be filed with the house and senate clerks and the joint committee on health care financing not later than 2 months following the passage of this act.”.

The amendment was adopted.

Mr. Moran of Boston then moved to amend the bill by adding the following three sections:

“SECTION 227A. Notwithstanding any law or rule to the contrary, for fiscal year 2013, in establishing Medicaid reimbursement rates for inpatient services provided by chronic disease rehabilitation hospitals located in the commonwealth that serve solely children and adolescents, the department of health and human services shall apply a multiplier of 1.5 times the hospital’s inpatient per diem rate in fiscal year 2012. For fiscal year 2014 and beyond, such rates of reimbursement shall not be lower than the rates in effect for the prior fiscal year.

SECTION 227B. Section 227A is hereby repealed.

SECTION 227C. Section 227B shall take effect on June 30, 2015.”.

The amendment was adopted.

Ms. Benson of Lunenburg then moved to amend the bill by adding the following three sections:

“SECTION 228. Section 47G of chapter 175 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:— Annual cytologic screenings performed at the same time as an annual physical exam may not be separately billed by the health care provider and shall be paid by the insurer.

SECTION 229. Subdivision L of section 110 of said chapter 175, as so appearing, is hereby amended by adding the following sentence:— Annual cytologic screenings performed at the same time as an annual physical exam may not be separately billed by the health care provider and shall be paid by the insurer.

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SECTION 230. Section 8J of chapter 176A, as so appearing, is hereby amended by adding the following sentence:— Annual cytologic screenings performed at the same time as an annual physical exam may not be separately billed by the health care provider and shall be paid by the insurer.”.

The amendment was adopted.

Mr. Parisella of Beverly then moved to amend the bill by adding the following section:

“SECTION 231. (a) The Director of Medicaid (Director) shall utilize the federal Public Assistance Reporting Information System (PARIS) to identify veterans and their dependents or survivors who are enrolled in the MassHealth program and assist them in obtaining federal veteran health care benefits.

(b) The Director shall exchange information with PARIS and identify veterans and their dependents or survivors who are receiving Mass Health benefits.

(c) The Director shall refer identified veterans who are receiving high-cost services, including long-term care, to their local veteran service officers (VSOs) to obtain information regarding, and assistance in obtaining, Department of Veterans’ Affairs benefits.

(d) In implementing this section, the Director of Medicaid shall do all of the following:

(1) Enter into an agreement with the Department of Veterans’ Services (DVS) to perform VSO outreach services. The DVS agreement shall contain performance standards that will allow the Director to measure the effectiveness of the program established by this section.

(2) Enter into any agreements that are required by the federal government to utilize the PARIS system.

(3) Perform any information technology activities that are necessary to utilize the PARIS system.”.

The amendment was adopted.

Ms. Peake of Provincetown then moved to amend the bill by adding the following section:

“SECTION 231A. Section 1. Chapter 112 of the General Laws is hereby amended by inserting after section 160 the following section:—

Section 160A. The needles used in acupuncture shall be sterile, one-use, disposable, solid filiform instruments which shall include but not be limited to: dermal needles, plum blossom needles, press needles, prismatic needles, and disposal lancets. The use of staples in the practice of acupuncture shall be prohibited.

Section 2. Chapter 175 of the General Laws is hereby amended by inserting after section 47AA the following section:—

Section 47BB.

(a) All individual or group accident and health insurance policies and health service contracts delivered, issued or renewed by an insurer or nonprofit health service corporation which provide benefits to individual subscribers and members within the commonwealth or to all group members having a principal place of employment within the commonwealth shall provide benefits for the acupuncture diagnostic techniques in subsection (b), the acupuncture services in subsection (c), and the adjunctive therapies in subsection (d); provided those techniques, services and adjunctive therapies are provided by

an acupuncturist licensed under sections 148 to 162, inclusive, of chapter 112 or a licensed physician practicing acupuncture under section 162 of chapter 112.

(b) Acupuncture diagnostic techniques shall include, but not be limited to, the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, 5 element correspondences, ryodoraku, German electro-acupuncture, and thermography.

(c) Acupuncture services shall include, but not be limited to: (i) auricular, hand, nose, face, foot and/or scalp acupuncture therapy; (ii) stimulation to points (including but not limited to acupuncture points, trigger points and motor points), acupuncture channels, and areas on the body by use of any of the following: needles, moxibustion, cupping, thermal methods, magnets, scraping techniques, ion cord linking acupuncture devices with wires, hot and cold packs, electromagnetic wave therapy and lasers; manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin, massage, acupressure, reflexology, shiatsu and tui na; and electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

(d) Adjunctive therapies shall include, but not be limited to: (i) oriental nutritional counseling, and the recommendation of nonprescription substances that meet the federal Food and Drug Administration labeling requirements as dietary supplements to promote health; (ii) instruction and training of meditation, breathing techniques and therapeutic movement exercises, including, but not limited to, tai chi, Qi Gong, Sotai; and (iii) lifestyle, behavioral, supportive, educational and stress counseling.

(e) If an insurer or nonprofit health service corporation denies benefits relative to acupuncture diagnostic techniques, acupuncture services or adjunctive therapies, the denial must be by, under the direction of, or subject to the review of an acupuncturist licensed under said sections 148 to 162, inclusive, of said chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

Section 3. Said chapter 175 is hereby amended by inserting after the section 205 the following section:—

Section 205A. (a) The commissioner shall not approve a policy under section 205 that does not provide benefits for the acupuncture diagnostic techniques in subsection (b), the acupuncture services in subsection (c), and the adjunctive therapies in subsection (d); provided those techniques, services and adjunctive therapies are provided by an acupuncturist licensed under sections 148 to 162, inclusive, of chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

(b) Acupuncture diagnostic techniques shall include, but not be limited to, the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, 5 element correspondences, ryodoraku, German electro-acupuncture, and thermography.

(c) Acupuncture services shall include, but not be limited to: (i) auricular, hand, nose, face, foot and/or scalp acupuncture therapy; (ii) stimulation to acupuncture points and channels by use of any of the following: needles, moxibustion, cupping, thermal methods, magnets, scraping techniques, ion cord linking acupuncture devices with wires, hot and

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cold packs, electromagnetic wave therapy and lasers; manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin, massage, acupressure, reflexology, shiatsu and tui na; and electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

(d) Adjunctive therapies shall include, but not be limited to: (i) oriental nutritional counseling, and the recommendation of non-prescription substances that meet the federal Food and Drug Administration labeling requirements as dietary supplements to promote health; (ii) instruction and training of meditation, breathing techniques and therapeutic movement exercises, including, but not limited to, tai chi, Qi Gong, Sotai; and (iii) lifestyle, behavioral, supportive, educational and stress counseling.

(e) If benefits relative to acupuncture diagnostic techniques, acupuncture services or adjunctive therapies are denied under a policy under said section 205, the denial must be by, under the direction of, or subject to the review of an acupuncturist licensed under said sections 148 to 162, inclusive, of said chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

Section 4. Chapter 176A of the General Laws is hereby amended by inserting after section 8DD the following section:—

Section 8EE. (a) Any contract between a subscriber and the corporation under an individual or group hospital service plan delivered, issued or renewed in the commonwealth shall provide as benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for the acupuncture diagnostic techniques in subsection (b), the acupuncture services in subsection (c), and the adjunctive therapies in subsection (d); provided those techniques, services and adjunctive therapies are provided by an acupuncturist licensed under sections 148 to 162, inclusive, of chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

(b) Acupuncture diagnostic techniques shall include, but not be limited to, the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, 5 element correspondences, ryodoraku, German electro-acupuncture, and thermography.

(c) Acupuncture services shall include, but not be limited to: (i) auricular, hand, nose, face, foot and/or scalp acupuncture therapy; (ii) stimulation to acupuncture points and channels by use of any of the following: needles, moxibustion, cupping, thermal methods, magnets, scraping techniques, ion cord linking acupuncture devices with wires, hot and cold packs, electromagnetic wave therapy and lasers; manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin, massage, acupressure, reflexology, shiatsu and tui na; and electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

(d) Adjunctive therapies shall include, but not be limited to: (i) oriental nutritional counseling, and the recommendation of nonprescription substances that meet the federal Food and Drug Administration labeling requirements as dietary supplements to promote health; (ii) instruction and training of meditation, breathing techniques and

therapeutic movement exercises, including, but not limited to, tai chi, Qi Gong, Sotai; and (iii) lifestyle, behavioral, supportive, educational and stress counseling.

(e) If a non-profit hospital service corporation denies benefits relative to acupuncture diagnostic techniques, acupuncture services or adjunctive therapies, the denial must be by, under the direction of, or subject to the review of an acupuncturist licensed under said sections 148 to 162, inclusive, of said chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

Section 5. Chapter 176B of the General Laws is hereby amended by inserting after section 4DD the following section:—

Section 4EE. (a) Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed in the commonwealth shall provide a benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for the acupuncture diagnostic techniques in subsection (b), the acupuncture services in subsection (c), and the adjunctive therapies in subsection (d); provided those techniques, services and adjunctive therapies are provided by an acupuncturist licensed under sections 148 to 162, inclusive, of chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

(b) Acupuncture diagnostic techniques shall include, but not be limited to, the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, 5 element correspondences, ryodoraku, German electro-acupuncture, and thermography.

(c) Acupuncture services shall include, but not be limited to: (i) auricular, hand, nose, face, foot and/or scalp acupuncture therapy; (ii) stimulation to acupuncture points and channels by use of any of the following: needles, moxibustion, cupping, thermal methods, magnets, scraping techniques, ion cord linking acupuncture devices with wires, hot and cold packs, electromagnetic wave therapy and lasers; manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin, massage, acupressure, reflexology, shiatsu and tui na; and electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

(d) Adjunctive therapies shall include, but not be limited to: (i) oriental nutritional counseling, and the recommendation of nonprescription substances that meet the federal Food and Drug Administration labeling requirements as dietary supplements to promote health; (ii) instruction and training of meditation, breathing techniques and therapeutic movement exercises, including, but not limited to, tai chi, Qi Gong, Sotai; and (iii) lifestyle, behavioral, supportive, educational and stress counseling.

(e) If a medical service corporation denies benefits relative to acupuncture diagnostic techniques, acupuncture services or adjunctive therapies, the denial must be by, under the direction of, or subject to the review of an acupuncturist licensed under said sections 148 to 162, inclusive, of said chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

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Section 6. Chapter 176G of the General Laws is hereby amended by inserting after section 4V the following section:—

Section 4W. (a) Any group health maintenance contract shall provide coverage for the acupuncture diagnostic techniques in subsection (b), the acupuncture services in subsection (c), and the adjunctive therapies in subsection (d); provided those techniques, services and adjunctive therapies are provided by an acupuncturist licensed under sections 148 to 162, inclusive, of chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.

(b) Acupuncture diagnostic techniques shall include, but not be limited to, the use of observation, listening, smelling, inquiring, palpation, pulses, tongue, physiognomy, 5 element correspondences, ryodoraku, German electro-acupuncture, and thermography.

(c) Acupuncture services shall include, but not be limited to: (i) auricular, hand, nose, face, foot and/or scalp acupuncture therapy; (ii) stimulation to acupuncture points and channels by use of any of the following: needles, moxibustion, cupping, thermal methods, magnets, scraping techniques, ion cord linking acupuncture devices with wires, hot and cold packs, electromagnetic wave therapy and lasers; manual stimulation, including stimulation by an instrument or mechanical device that does not pierce the skin, massage, acupressure, reflexology, shiatsu and tui na; and electrical stimulation including electro-acupuncture, percutaneous and transcutaneous electrical nerve stimulation.

(d) Adjunctive therapies shall include, but not be limited to: (i) oriental nutritional counseling, and the recommendation of nonprescription substances that meet the federal Food and Drug Administration labeling requirements as dietary supplements to promote health; (ii) instruction and training of meditation, breathing techniques and therapeutic movement exercises, including, but not limited to, tai chi, Qi Gong, Sotai; and (iii) lifestyle, behavioral, supportive, educational and stress counseling.

(e) If a health maintenance organization denies benefits relative to acupuncture diagnostic techniques, acupuncture services or adjunctive therapies, the denial must be by, under the direction of, or subject to the review of an acupuncturist licensed under said sections 148 to 162, inclusive, of said chapter 112, or a licensed physician practicing acupuncture under section 162 of chapter 112.”.

The amendment was rejected.

Ms. Malia of Boston then moved to amend the bill in section 123, in line 2714, by striking out the words “ultrasound diagnostic imaging”; and the amendment was adopted.

Mr. Conroy of Wayland then moved (there being no objection) to amend the bill in section 124, in lines 2891 to 2895, inclusive, by striking out the text contained therein (as previously amended) and inserting in place thereof the following:

“Section 12. The commissioner of insurance shall make a determination if an ACO has adequate reserves to meet their risk arrangements. The commissioner of insurance shall have the authority to promulgate regulations to ensure the viability of an ACO for all risks including, but not limited to, global payment or shared savings risk, and to establish financial oversight provisions and requirements for ACOs. Upon the satisfaction of the commissioner of insurance,

the division of insurance shall submit a certificate of approval to the division.”.

The amendment was adopted.

Ms. Provost of Somerville then moved to amend the bill by inserting after Section 65 the following section:

“SECTION 65A. Chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 51H the following section:—

Section 51I. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Adverse event’, injury to a patient resulting from a medical intervention, and not to the underlying condition of the patient.

‘Checklist of care’, pre-determined steps to be followed by a team of healthcare providers before, during and after a given procedure to decrease the possibility of adverse effects and other patient harm by articulating standards of care.

‘Facility,’ a hospital; institution maintaining an Intensive Care Unit; institution providing surgical services, or clinic providing ambulatory surgery.

(b) The department shall encourage the development and implementation of checklists of care that prevent adverse events and reduce healthcare-associated infection rates. The department shall develop model checklists of care, which may be implemented by facilities; provided however, that facilities may develop and implement checklists independently.

(c) Facilities shall report data and information relative to their use or non-use of checklists to the department and the Betsy Lehman center for patient safety and medical error reduction. The department may consider facilities that use similar programs to be in compliance. Reports shall be made in the manner and form established by the department. The department shall publicly report on individual hospitals’ compliance rates.”.

The amendment was adopted.

Mr. Walsh of Boston then moved to amend the bill in section 202 (inserted by the committee on Bills in the Third Reading), in the first sentence, by striking out the figures “17” and inserting in place thereof the figures “18”, and in said section, in the second sentence, by inserting after the word “Recovery” the words “, Recovery Homes Collaborative”; and the amendments were adopted.

Mr. Collins of Boston then moved to amend the bill in section 121, in lines 1742 to 1746, inclusive, by striking out clause (m) and inserting in place thereof the following clause:

“(m) Should the health care entity fail to successfully complete the performance improvement plan, the division may require the parties to resubmit a new plan consistent with this section. If the Division determines that the health care entity has not implemented the performance improvement plan to their satisfaction then they shall submit a recommendation for proposed legislation to the joint committee on health care financing if the division determines that further legislative authority is needed to achieve the health care quality and spending sustainability objectives of this act.”.

The amendment was adopted.

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Representatives Jones of North Reading and O'Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 231A. The division of health care cost and quality, established in chapter 118G of the General Laws, shall investigate and review methods of, and make recommendations relative to, increasing the use and adoption of health savings accounts and similar tax-favored health plans and developing and implementing incentives to increase the utilization of health savings accounts and similar tax favored health plans. The Division shall examine the feasibility of such accounts and plans for public payers and commercial insurers and the feasibility of a pilot program. The division shall submit a report of its findings and recommendations to the house and senate committees on ways and means and the joint committee on health care financing no later than April 1, 2013.”

The amendment was adopted.

Representatives Khan of Newton and Scibak of South Hadley then moved to amend the bill in section 136, in line 3082, by inserting after the word “benefit.” the following sentence: “Nothing in this section will prohibit a payer or any entity acting for a payer under contract from using a prior authorization, methodology that utilizes an internet webpage, internet webpage portal, or similar electronic, internet, and web-based system in lieu of a paper form, developed pursuant to subsection (c).”; and the amendment was adopted.

Ms. Dykema of Holliston then moved to amend the bill in section 123, in line 2396, by striking out the figures “19” and inserting in place thereof the figures “20”, and, in line 2401, by inserting after the word “designee” the following: “; 1 of whom shall be a registered nurse”. The amendments were adopted.

The same member then moved to amend the bill in section 121, in lines 2205 to 2235, inclusive, by striking out subsection 65 and inserting in place thereof the following subsection:

“Section 65. The division shall develop the uniform reporting of a standard set of health care quality measures for each health care provider facility, medical group, or provider group in the commonwealth hereinafter referred to as the ‘Standard Quality Measure Set.’

The division shall convene a statewide advisory committee which shall recommend to the division a Standard Quality Measure Set. The statewide advisory committee shall consist of the executive director of the division or designee, who shall serve as the chair; the executive director of the group insurance commission or designee, the Medicaid director or designee; and 6 representatives of organizations to be appointed by the governor including at least 1 representative from an acute care hospital or hospital association, 1 representative from a provider group or medical association or provider association, 1 representative from a medical group, 1 representative from a private health plan, 1 representative from the Massachusetts Association of Health Plans, 1 representative from an employer association, 1 representative from a patient safety group, and 1 representative from a health care consumer group.

In developing its recommendation of the Standard Quality Measure Set, the advisory committee shall, after consulting with state and national organizations that monitor and develop quality and safety

measures, select from existing quality measures and shall not select quality measures that are still in development or develop its own quality measures. The committee shall annually recommend to the division any updates to the Standard Quality Measure Set by November 1. The committee may solicit for consideration and recommend other nationally recognized quality measures, including, but not limited to, recommendations from medical, safety or provider specialty groups as to appropriate quality measures for that group's specialty. At a minimum, the Standard Quality Measure Set shall consist of the following quality measures: (i) the Centers for Medicare and Medicaid Services hospital process measures, acute myocardial infarction, congestive heart failure, pneumonia and surgical infection prevention; (ii) the Hospital Consumer Assessment of Healthcare Providers and Systems survey; (iii) the Healthcare Effectiveness Data and Information Set reported as individual measures and as a weighted aggregate of the individual measures by medical or provider group; (iv) the Ambulatory Care Experiences Survey; and (v) Centers for Disease Control and Prevention of the United States Department of Health and Human Services Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings.

The division shall require all payers to limit their collection and utilization of health care quality measures from providers to the standard quality measure set, as developed by the division under this section."

The amendment was rejected.

Ms. Dykema then moved to amend the bill in section 14, in line 162, by inserting after the word "consumers" the words ", community organizations"; and the amendment was adopted.

Ms. Dykema of Holliston then moved to amend the bill by adding the following section:

"SECTION 232. Notwithstanding any general or special law to the contrary, there shall be established and set up on the books of the commonwealth as a separate fund to be known as the Medicaid and Health Care Reform FMAP Trust Fund. The fund shall consist of any funds that may be appropriated or transferred for deposit into the trust fund, interest earned on such revenues, and other sources. The comptroller shall deposit an amount to the fund determined by secretary of administration and finance that is equivalent to the additional funding provided by the federal government pursuant to the increased federal Medicaid assistance percentage pursuant to the Patient Protection and Affordable Care Act of 2010 and Section 1201 of the Health Care and Education Reconciliation Act of 2010. The fund shall be used for the following purposes: (1) to support the financing of health insurance coverage for low-income Massachusetts residents, including state health insurance programs and insurance offered through the commonwealth's health insurance exchange and (2) to improve Medicaid reimbursement to health care providers. The secretary of administration and finance shall administer the fund. No later than January 31 of each year, the secretary, in consultation with the executive office of health and human services, the commonwealth health insurance connector authority, healthcare providers participating in the Medicaid program, and consumer representatives, shall submit a report to the house and senate ways and means committees and the joint committee on health

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care financing that includes the current funding available in the fund, the funding estimated to be deposited through the end of the current and subsequent fiscal year, estimated expenditures from the fund, and recommendations for transferring such funds to other state accounts and funds in a manner consistent with the purpose of the fund.”

The amendment was rejected.

Mrs. O’Connell of Taunton then moved to amend the bill in section 178, in line 3642, by striking out the figure: “3” and inserting in place thereof the figure: “2”; and the amendment was adopted.

Mrs. O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 232. Section 60I of chapter 231 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the second paragraph, and inserting in place thereof the following:—

An attorney shall not contract for or collect a contingent fee for representing any person seeking damages in connection with an action for malpractice, negligence, error, omission, mistake, or the unauthorized rendering of professional services against a provider of health care in excess of the following limits:

- (1) Thirty-five per cent of the first two hundred thousand dollars recovered;
- (2) Thirty-three and one-third per cent of the next two hundred thousand dollars recovered;
- (3) Thirty per cent of the next one hundred thousand dollars recovered;
- (4) Twenty-five per cent of any amount by which the recovery exceeds five hundred thousand dollars.”

The amendment was rejected.

Mr. Conroy of Wayland then moved to amend the bill in section 67, in lines 558 to 567, inclusive, by striking out paragraphs (4), (5) and (6) and inserting in place thereof the following two paragraphs:

“(4) to establish, in consultation with the boards of professional licensure, a standardized electronic system for the public reporting of provider license information; and

(5) to perform such other functions and duties as may be required to carry out this section.”

The amendment was adopted.

The same member then moved to amend the bill in section 121, in line 2185, by striking out the words “commissioner of insurance” and inserting in place thereof the word “division”; and the amendment was adopted.

Mr. Donato of Medford being in the Chair,—

Mr. Sullivan of Fall River then moved to amend the bill, in section 202 (inserted by the committee on Bills in the Third Reading) by striking out the following: “and (e) the unique privacy factors required for the integration of behavioral health information into interoperable electronic health records” and inserting in place thereof the following: “(e) how best to educate all providers about the effects of cardiovascular disease, diabetes, and obesity on patients with serious mental illness; and (f) the unique privacy factors required for the integration of behavioral health information into interoperable electronic health records”. The amendment was adopted.

Mrs. O'Connell of Taunton then moved to the bill by adding the following section:

“SECTION 232. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall conduct a study commission to investigate the implementation of a pilot program to increase the adoption of health savings accounts and consumer-driven health plans in the marketplace, including state employees and persons receiving subsidized health care. The study commission shall be chaired by EOHHS and shall include: 1 person appointed by the Governor; 1 appointee of the Senate President; 1 appointee of the Senate Minority Leader; 1 appointee of the Speaker of the House; 1 appointee of the House Minority Leader; 1 representative from the GIC; 1 representative from the banking industry; 1 representative from Mass Health Underwriters Association; 1 representative from the Association of Health Plans; 1 representative from AIM. The commission shall file a report with recommendations for implementation with the House Clerk by April 1, 2013.

The scope of the commission shall include, without limitation, identifying: the barriers to full implementation of health savings accounts, consumer-driver health plans, and high-deductible health plans; providing greater consumer choice; incentives to increase utilization of health savings accounts, consumer-driver health plans, and high-deductible health plans.”

The amendment was adopted.

Mr. Walsh of Lynn then moved to amend the bill in section 188 (as published), in lines 3768, 3769 and 3770, by striking out the words “, provided, however, that supplemental insurance may not cover copayments, deductibles, co-insurance or other patient payment responsibility for services that are included in the individual’s health plan”. The amendment was adopted.

Mrs. O'Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 233. Chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, after section 72Z, the following section:—

Section 72Z½. As used in this section, the following word shall have the following meaning:

‘Psychotropic medication’, a chemical substance that acts primarily upon the central nervous system where it alters brain function, resulting in temporary changes in perception, mood, consciousness and behavior.

Every resident in a nursing home, rest home, or other long term care facility that is prescribed psychotropic medications, shall have the facility in which they reside, as well as the prescribing physician, first obtain informed consent from the resident, and the resident’s health care proxy, or a court appointed Rogers guardian. The facility shall keep on record a copy of the written consent form between the resident and the prescribing physician when prescribing psychotropic medications.”

The amendment was adopted.

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Mr. Lawn of Watertown then moved to amend the bill by adding the following section:

“SECTION 234. Section 18 of chapter 15A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 14 and 36, the words ‘division of health care finance and policy’ and inserting in place thereof, in each instance, the following words:— commonwealth health insurance connector.”; and the amendment was adopted.

Mr. Conroy of Wayland then moved to amend the bill in section 121, in line 1625, by inserting after the year “2012.” the following sentence: “The statewide medical spend benchmark shall not be used by any party in any other setting, including but not limited to any proceeding arising out of the review by the division of insurance of any carrier’s insured rates, which are and shall be subject to disapproval if excessive, discriminatory, or unreasonable in relation to the benefits provided.” The amendment was adopted.

Messrs. Collins of Boston and Walsh of Lynn then moved to amend the bill in section 123, in line 2475, by inserting after the word “technology.” the following paragraph:

“(c) In carrying out the purposes of this section the executive office shall, to the maximum extent practicable, adopt policies that are consistent with those relating to similar subject matters adopted by the Office of the National Coordinator for Health Information Technology of the federal Department of Health and Human Services; provided, however, that nothing herein shall be construed to limit the executive office’s ability to advance interoperability and other health information technology beyond the standards adopted by the ONC, including without limitation any applicable meaningful use standards.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 82, in line 676, by striking out the word “hospitals” and inserting in place thereof the word “Following”; and by adding the following section:

“SECTION 235. Section 64 of chapter 111 of the General Laws, as inserted by section 83 of this act, shall take effect on July 1, 2013.”.

The amendments were adopted.

Ms. Story moves to amend the bill in section 11, in line 66, by striking the word “or”, and, in line 68, by inserting after the word “funding” the following: “; or (v) a community-based organization or group of community-based organizations working in collaboration”; and the amendments were adopted.

Mr. Garballey of Arlington then moved to amend the bill by adding the following section:

“SECTION 236. Section 18 of chapter 15A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 14 and 36, the words ‘division of health care finance and policy’ and inserting in place thereof, in each instance, the following words:— commonwealth health insurance connector.”.

The amendment was adopted.

Mr. Sullivan of Fall River and other members of the House then moved to amend the bill in section 181, in line 3727, by inserting after the word “dentist” the words “, dental hygienist”; and the amendment was adopted.

Messrs. Finn of West Springfield and Straus of Mattapoisett then moved to amend the bill by striking out section 148 (as printed) and inserting in place thereof the following section:

“SECTION 146. Said section 11 of chapter 176J of the General Laws, as so appearing, is hereby further amended by inserting the following 2 sentences at the end of subsection (a):— The division of insurance shall determine the base rate discount on an annual basis. The division of insurance may apply a waiver process from the rate discount under this section to carriers who receive 80 per cent or more of their incomes from government programs or which have service areas which do not include either Suffolk or Middlesex Counties and who were first admitted to do business by the division of insurance on or before January 1, 1988, as health maintenance organizations under chapter 176G.”; and by adding the following section:

“SECTION 237. Notwithstanding any law or regulation to the contrary, the division of insurance may report specific findings and legislative recommendations including the following: (1) the extent to which tiered products offerings have been adopted and utilized in the marketplace; (2) the extent to which tiered product offerings have reduced health care costs for both patients and employers; (3) the effects that tiered product offerings have on patient education relating to health care costs and quality; (4) the effects that tiered product offerings have on patient utilization of local hospitals and the resulting impact on overall state health care costs; (5) opportunities to incentivize tiered product offerings for both health systems and employers. The report shall be submitted to the Senate and House Committees on Ways and Means and the Joint Committee on Health Care Financing.”

The amendments were adopted.

Representatives Walsh of Boston and Peake of Provincetown then moved to amend the bill by adding the following two sections:

“SECTION 237A. Notwithstanding any provision of any general law or special law or regulation to the contrary, health care providers that receive written notice from the department of public health, prior to December 31, 2012, that they do not need a determination of need review for a project shall be exempt from needing to file a determination of need review at a later date if there project exceeds the newly established thresholds under Sections 37, 39 or 53 of this bill.

SECTION 237B. Notwithstanding the provisions of any general or special law or regulation to the contrary, the provisions of Section 25E½ of Chapter 111 of the General Laws, as proposed to be added by Section 55, shall not apply to the review of an application for a determination of need that is filed with the department of public health under any applicable provision of Chapter 111 of the General Laws on or before December 31, 2013.”

The amendment was adopted.

Ms. Dykema of Holliston then moved to amend the bill in section 121, in line 2057, by inserting after the word “patients” the words “, including patients with disabilities whose disabilities may include but are not limited to intellectual and developmental disabilities”. The amendment was adopted.

Representatives Wolf of Cambridge and Walsh of Lynn then moved to amend the bill in section 96, in line 806, by inserting after the word

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“payment” the words “; provided further, that said bonus to qualifying hospitals and providers shall apply to all health care services provided to medical assistance recipients including outpatient, inpatient and behavioral health services, including, but not limited to, those under primary care clinician and mental health and substance abuse plans or through a health maintenance organization under contract”, and, in line 822, by inserting after the word “section.” the following paragraph:

“The office of Medicaid shall also consult with safety net providers including high Medicaid and low-income public payer hospitals to ensure that said alternative payment methodologies (1) support the state’s efforts to improve health, care delivery and cost-effectiveness; (2) include incentives for high quality, coordinated care, including wellness services, primary care services and behavioral health services; (3) include a risk adjustment element based on health status; (4) to the extent possible, include a risk adjustment element that takes into account functional status, socioeconomic status or cultural factors; (5) preserve the use of intergovernmental transfer financing mechanisms by governmental acute public hospitals consistent with the Medical Assistance Trust Fund provisions in effect as of fiscal year 2012; and (6) recognize the unique circumstances and reimbursement requirements of high Medicaid disproportionate share hospitals and other safety net providers with concentrated care in government programs.”.

The amendments were adopted.

Mr. Brodeur of Melrose then moved to amend the bill

In section 124, in lines 2896 and 2897, by striking out the following: “guidelines for ACOs to create internal appeals plans for denial of care” and inserting in place thereof the following: “ACO appeal procedures for adverse determinations that are consistent with the appeal procedures of sections 12 through 14 of chapter 1760”, and, in lines 2898 and 2899, by striking out the following: “the process for second opinions to occur outside of the ACO” and inserting in place thereof the following: “and a process to provide an independent second opinion outside the ACO”;

In section 172, in line 3495, by inserting after the word “processes” (the first time it appears) the following: “that are consistent with the appeal procedures of sections 12 through 14 of chapter 1760”, in line 3499, by striking out the words “for a patient with a terminal illness” and inserting in place thereof the words “for a patient with an urgent medical need”, in lines 3499 and 3500, by striking out the words “external opinion unless it would be impractical for expedited internal appeals” and inserting in place thereof the words “independent external opinion”, in line 3502, by striking out the word “a” and inserting in place thereof the words “an independent”, and, in lines 3503 and 3504, by striking out the words “provided however, that for any patient who elects to have an independent care coordinator, said care coordinator may act as the patient advocate” (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the words “provided that any patient may elect any person, including, but not limited to, a spouse or other family member, an attorney of record or a legal guardian, to act as their patient advocate or independent care coordinator”.

The amendments were adopted.

Mr. Costello of Newburyport then moved to amend the bill

In section 67, in line 569, by striking out the figure "9" and inserting in place thereof the figures "24";

In section 104, in lines 1336 and 1337, and also in section 111, in line 1366, by striking out the following: "not more than 9 physicians" and inserting in place thereof, in each instance, the following: "24 physicians or fewer";

In section 121, in lines 1641 and 1642, and also in line 1676, by striking out the following: "9 or less" and inserting in place thereof, in each instance, the following: "24 physicians or less", and, in line 1752, by striking out the following: "fewer than 10 physicians" and inserting in place thereof the following: "24 physicians or less".

The amendments were adopted.

The same member then moved to amend the bill by adding the following section:

"SECTION 238. To maximize the cost-effective and efficient use of nursing homes licensed under chapter 111, section 71 of the General Laws in the commonwealth's post-acute health care delivery system, the executive office of health and human services shall seek from the Secretary of the Department of Health and Human Services an exemption or waiver from the Medicare requirement set forth in 42 U.S.C. §1395x(i) that an admission to a skilled nursing facility be preceded by a three-day hospital stay."

The amendment was adopted.

Mr. Costello then moved to amend the bill by adding the following section:

"SECTION 239. Chapter 111 of the General Laws is hereby amended by inserting after section 70G the following section:—

Section 70H. Notwithstanding any provision in chapter 93A, sections 70E, 72E and 73 and 940 CMR section 4.09, a facility or institution licensed by the department of public health under section 71 may move a resident to different living quarters or to a different room within the facility or institution if, as documented in the resident's clinical record and as certified by a physician, the resident's clinical needs have changed such that the resident either (1) requires specialized accommodations, care, services, technologies, staffing not customarily provided in connection with the resident's living quarters or room, or (2) ceases to require the specialized accommodations, care, services, technologies or staffing customarily provided in connection with the resident's living quarters or room; provided, however, that nothing in this section shall obviate a resident's notice and hearing rights when movement to different living quarters involves a resident moving from a Medicare-certified unit to a non-Medicare-certified unit or involves a resident moving from a non-Medicare-certified unit to a Medicare-certified unit and, provided, however, that the resident shall have the right to appeal to the facility's or institution's medical director a decision to move the resident to a different living quarter or to a different room within the facility or institution."

The amendment was adopted.

Ms. Khan of Newton then moved to amend the bill by striking out section 90 (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following section:

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“SECTION 90. Chapter 118E of the General Laws is hereby amended by inserting after section 9E the following section:—

Section 9F. (a) As used in this section, the following words shall have the following meanings:—

‘Dual eligible’, or ‘dually eligible person’, any person age 21 or older and under age 65 who is enrolled in both Medicare and MassHealth.

‘Integrated care organization’ or ‘ICO’, a comprehensive network of medical, health care and long term services and supports providers that integrates all components of care, either directly or through sub-contracts and has been contracted with by the Executive Office of Health and Human Services and designated an ICO to provide services to dually eligible individuals pursuant to this section.

(b) Members of the MassHealth dual eligible pilot program on ICOs or any successor program integrating care for dual eligible persons shall be provided an independent community care coordinator by the ICO or successor organization, who shall be a participant in the member’s care team. The community care coordinator shall assist in the development of a long term support and services care plan. The community care coordinator shall:

(1) participate in initial and ongoing assessments of the health and functional status of the member, including determining appropriateness for long term care support and services, either in the form of institutional or community-based care plans and related service packages necessary to improve or maintain enrollee health and functional status;

(2) arrange and, with the agreement of the member and the care team, coordinate the provision of appropriate institutional and community long term supports and services, including assistance with the activities of daily living and instrumental activities of daily living, housing, home-delivered meals, transportation, and under specific conditions or circumstances established by the ICO or successor organization, authorize a range and amount of community-based services; and

(3) monitor the appropriate provision and functional outcomes of community long term care services, according to the service plan as deemed appropriate by the member and the care team; and track member satisfaction and the appropriate provision and functional outcomes of community long term care services, according to the service plan as deemed appropriate by the member and the care team.

(c) The ICO or successor organization shall not have a direct or indirect financial ownership interest in an entity that serves as an independent care coordinator. Providers of institutional or community based long term services and supports on a compensated basis shall not function as an independent care coordinator, provided however that the secretary may grant a waiver of this restriction upon a finding that public necessity and convenience require such a waiver. For the purposes of this section, an organization compensated to provide only evaluation, assessment, coordination, skills training, peer supports and fiscal intermediary services shall not be considered a provider of long term services and supports.”

The amendment was adopted.

The same member then moved to amend the bill in section 123, in line 2711, by inserting after the following “(Public Law 104-119).”;

and by adding the following sentence: "In addition, the division shall advance the dissemination of innovative technologies, including, but not limited to, those technologies that would allow diagnostic imaging exams to be seamlessly processed and transferred electronically through means that may include, but shall not be limited to, cloud-based technologies.". The amendment was adopted.

Ms. Reinstein of Revere then moved to amend the bill by adding the following section:

"SECTION 240. The department of public health shall amend their regulations regarding limited service clinics to allow such clinics to provide the following services to patients, provided that the limited service clinic only provides those services for which a patient's primary care provider has given written approval for prior to such care being administered:

- A) Monitoring and management of acute and chronic disease
- B) Wellness and preventive services

Nothing in this section shall be interpreted to allow a limited service clinic to serve as a patient's primary care provider."

The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 145 (as printed), in line 3186, by striking out the following: "only 1 facility" and inserting in place thereof the following: "no more than 5 facilities". The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill in section 124, in line 2910, by inserting after the word "organizations" the following: "and any government entity that contracted with a health plan or insurer utilizing ACOs was a party to the appeals process"; and the amendment was adopted.

Ms. Story of Amherst then moved to amend the bill in section 17, in line 180, by inserting after the word "sites" the words "or family planning sites"; and the amendment was adopted.

Mr. Hecht of Watertown and other members of the House then moved to amend the bill by adding the following six sections:

"SECTION 241. The second paragraph of section 1 of chapter 64C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the words 'snuff, snuff flour and any other tobacco or tobacco product prepared in such manner as to be suitable for chewing, including, but not limited to cavendish, plug, twist and fine-cut tobaccos' and inserting in place thereof the following words:— any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means other than smoking, or any component, part, or accessory of a tobacco product, including, but not limited to, snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco; but does not include cigars, cigarettes, or smoking tobacco as defined in chapter 64C. 'Smokeless tobacco' excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

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SECTION 242. The definition of ‘smoking tobacco’ in subsection (a) of section 7B of chapter 64C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the words ‘roll-your-own tobacco and pipe tobacco and other kinds and forms of tobacco suitable for smoking’ and inserting in place thereof the following words:— roll-your-own tobacco and pipe tobacco and other kinds and forms of tobacco, or substance that contains tobacco, suitable for smoking, and ‘smoking tobacco’ shall additionally include tobacco leaf, tobacco sheet, or any substance containing tobacco which is suitable for rolling or wrapping tobacco or any other substance for smoking.

SECTION 243. Said section 7B of said chapter 64C of the General Laws is hereby further amended by adding the following subsection:—

(m) In addition to the excise imposed by subsection (b), an excise shall be imposed on all cigars weighing more than 3 pounds per 1,000 units and not more than 12 pounds per 1,000 units held in the commonwealth at the rate of 80 per cent of the wholesale price of such product. In addition to the excise imposed by paragraph (b), an excise shall be imposed on all smoking tobacco held in the commonwealth at the rate of 90 per cent of the wholesale price of such product.

SECTION 244. The final sentence of subsection (a) of section 7C of chapter 64C of the General Laws is hereby amended by striking out the words ‘twenty-five per cent’ and inserting in place thereof the following words:— 45 per cent.

SECTION 245. Section 7C of chapter 64C of the General Laws is hereby further amended by adding the following subsection:—

(d) Any change, henceforth, to the state excise tax rate for cigarettes shall cause a commensurate adjustment in the state excise tax for all other tobacco products under chapter 64C. For purposes of this subsection (d), the term ‘commensurate adjustment’ shall be determined by dividing the change in the state cigarette excise tax by the total cigarette excise tax prior to that change, and the resulting percentage change shall be applied to calculate the commensurate adjustment to the state excise taxes for cigars, smokeless tobacco and smoking tobacco. There shall be no negative commensurate adjustments, and the said rate for each tobacco product each shall be adjusted independently of the other such product categories under chapter 64C. The change in cigarette excise tax and commensurate adjustments shall have the same effective date.

SECTION 246. Notwithstanding any general or special law to the contrary, all additional revenue resulting from the enactment of sections 241, 242, 243, 244 and 245 of this Act, as estimated by the commissioner of revenue, shall be deposited in the Prevention and Wellness Trust Fund, as established in section 11 of the bill (as printed).”.

Mr. Peterson of Grafton thereupon raised a point of order that the amendment offered by the gentleman from Watertown, et als, was improperly before the House for the reason that it was beyond the scope of the pending bill.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mr. Hecht thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Winslow of Norfolk.

Point of
order.

The question then was put “Shall the decision of the Chair stand as the judgment of the House?”.

After debate the decision of the Chair was sustained.

Mr. Toomey of Cambridge then moved to amend the bill in section 124, in line 2819, by striking out the word “and” (the second time it appears), in line 2821, by striking out the punctuation “.” and inserting in place thereof the word “; and”, and by inserting after said line the following clause:

“(k) Ensure patient access to health care services, including breakthrough technologies and human therapeutic treatments.”.

The amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill in section 121, in line 2232, by inserting after the word “Survey.” the following two sentences: “The Standard Quality Measure Set shall include outcome measures. The Committee shall review additional appropriate outcome measures as they are developed.”. The amendment was adopted.

The same member then moved to amend the bill in section 66, in line 521, by striking out the words “new section” (as published) and inserting in place thereof the following: “2 new sections”, and by adding at the end of said section the following:

“Section 51J. As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Adverse Event’, injury to a patient resulting from a medical intervention, and not to the underlying condition of the patient.

‘Checklist of Care’, pre-determined steps to be followed by a team of healthcare providers before, during, and after a given procedure to decrease the possibility of patient harm by standardizing care.

‘Facility,’ a hospital, institution maintaining an Intensive Care Unit, institution providing surgical services, or clinic providing ambulatory surgery.

The department shall encourage the development and implementation of checklists of care that prevent adverse events and reduce healthcare-associated infection rates. The department shall develop model checklists of care, which may be implemented by facilities; provided however, facilities may develop and implement checklists independently.

Facilities shall report data and information relative to their use or non-use of checklists to the department and the Betsy Lehman Center for Patient Safety and Medical Error Reduction. Reports shall be made in the manner and form established by the department.”.

The amendments were adopted.

Mr. Sánchez then moved to amend the bill in section 17, in line 177 and in section 121, in line 2097 (the second time it appears), by inserting after the word “medical” the words “physician assistant”; and the amendments were adopted.

Mr. Sánchez of Boston then moved to amend the bill by adding the following ten sections:

“SECTION 241. Section 2 of chapter 32A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after paragraph (h) the following paragraph:—

(h½) ‘Primary care provider’, a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or

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proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 242. Section 22 of said chapter 32A, as so appearing, is hereby amended by striking out, in line 36, the word 'physician' and inserting in place thereof the following word:— provider.

SECTION 243. Section 1 of chapter 175 of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Net value of policies' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 244. Section 47B of said chapter 175, as so appearing, is hereby amended by striking out, in line 46, the word 'physician' and inserting in place thereof the following word:— provider.

SECTION 245. Section 8A of chapter 176A of the General Laws, as so appearing, is hereby amended by striking out, in line 41, the word 'physician' and inserting in place thereof the following word:— provider.

SECTION 246. Subsection (c) of said section 8A of chapter 176A, as so appearing, is hereby amended by adding the following paragraph:—

For the purposes of this subsection, the term 'primary care provider.' shall mean a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 247. Section 1 of chapter 176B of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Participating optometrist' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 248. Section 4A of said chapter 176B, as so appearing, is hereby amended by striking out, in line 43, the word 'physician' and inserting in place thereof the following word:— provider.

SECTION 249. Section 1 of chapter 176G of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Person' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 250. Section 4M of said chapter 176G, as so appearing, is hereby amended by striking out, in line 40, the word 'physician' and inserting in place thereof the following word:— provider.

The amendment was adopted.

The same member then moved to amend the bill by adding the following two sections:

“SECTION 251. Section 1 of chapter 111 of the General Laws, as appearing in the 2010 official edition, is hereby amended by inserting after the definition of ‘Nuclear reactor’ the following definition:—

‘Primary care provider’, a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 252. Section 67F of said chapter 111, as so appearing, is hereby amended by striking out, in lines 15 and 19, the word ‘physician’ and inserting in place thereof the following word in each instance:— provider.”.

The amendment was adopted.

Mr. Sánchez then moved to amend the bill by adding the following section:

“SECTION 253. Section 7 of chapter 176O of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 48, the word ‘physician’ and inserting in place thereof the following word:— provider.”.

The amendment was adopted.

Mr. Hecht of Watertown then moved to amend the bill in section 121, in line 1952, by inserting after the word “payer.” the following sentence: “Access to data shall also include disclosing to health care consumers, on a timely basis and in an easily readable and understandable format, data on health care services they have personally received.”; and the amendment was adopted.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following section:

“SECTION 254. Notwithstanding any general or special law to the contrary, section 2 of chapter 112 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, at the end thereof, the following sections:—

Notwithstanding any other provisions of this chapter, the board may issue a telemedicine license to allow medical advice, diagnoses, treatments and prescriptions by physicians who hold a full and unrestricted medical license in a state other than Massachusetts. The board shall establish requirements for such licensure.

A telemedicine license shall not be issued for a period that exceeds two years. A physician may seek renewal of a telemedicine license upon application and compliance with other requirements established by the board.”.

The amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill by adding the following twelve sections:

“SECTION 255. Section 8 of chapter 118E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after paragraph (e) the following paragraph:—

(e½). ‘Primary care provider’, a health care professional qualified to provide general medical care for common health care problems who:

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(1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 256. Section 17A of said chapter 118E, as so appearing, is hereby amended by striking out, in lines 60 and 62, the word 'physician' and inserting in place thereof the following word in each instance:— provider.

SECTION 257. Section 1 of chapter 175 of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Net value of policies' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 258. Section 47U of said chapter 175, as so appearing, is hereby amended by striking out, in lines 62 and 64, the word 'physician' and inserting in place thereof the following word in each instance:— provider.

SECTION 259. Paragraph (a) of section 8U of chapter 176A, as so appearing, is hereby amended by inserting after the definition of 'Insured' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 260. Section 8U of said chapter 176A, as so appearing, is hereby amended by striking out, in lines 64 and 66, the word 'physician' and inserting in place thereof the following word in each instance:— provider.

SECTION 261. Section 1 of chapter 176B of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Participating optometrist' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 262. Section 4U of said chapter 176B, as so appearing, is hereby amended by striking out, in lines 64 and 66, the word 'physician' and inserting in place thereof the following word in each instance:— provider.

SECTION 263. Section 1 of chapter 176G of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Person' the following definition:—

'Primary care provider', a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 264. Section 5 of said chapter 176G, as so appearing, is hereby amended by striking out, in lines 59 and 61, the word ‘physician’ and inserting in place thereof the following word in each instance:— provider.

SECTION 265. Section 1 of Chapter 176O, as so appearing, he hereby amended by inserting after the definition of ‘Person’ the following definition:—

“Primary care provider”, a health care professional qualified to provide general medical care for common health care problems who: (1) supervises, coordinates, prescribes, or otherwise provides or proposes health care services; (2) initiates referrals for specialist care; and (3) maintains continuity of care within the scope of practice.

SECTION 266. Section 20 of said chapter 176O, as so appearing, is hereby amended by striking out, in lines 19 and 22, the words ‘care physician’ and inserting in place thereof the following words in each instance:— care provider.”.

The amendment was adopted.

Mr. Winslow of Norfolk then moved to amend the bill by adding the following four sections:

“SECTION 267. Chapter 175 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 111H, the following section:—

Section 111I. (a) Except as otherwise provided in this section, the commissioner shall not disapprove a policy of accident and sickness insurance which provides hospital expense and surgical expense insurance solely on the basis that it does not include coverage for at least 1 mandated benefit.

(b) The commissioner shall not approve a policy of accident and sickness insurance which provides hospital expense and surgical expense insurance unless it provides, at a minimum, coverage for:

(1) pregnant women, infants and children as set forth in section 47C;

(2) prenatal care, childbirth and postpartum care as set forth in section 47F;

(3) cytologic screening and mammographic examination as set forth in section 47G;

(3A) diabetes-related services, medications, and supplies as defined in section 47N;

(4) early intervention services as set forth in said section 47C; and

(5) mental health services as set forth in section 47B; provided however, that if the policy limits coverage for outpatient physician office visits, the commissioner shall not disapprove the policy on the basis that coverage for outpatient mental health services is not as extensive as required by said section 47B, if the coverage is at least as extensive as coverage under the policy for outpatient physician services.

(c) The commissioner shall not approve a policy of accident and sickness insurance which provides hospital expense and surgical expense insurance that does not include coverage for at least one mandated benefit unless the carrier continues to offer at least one policy that provides coverage that includes all mandated benefits.

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(d) For purposes of this section, 'mandated benefit' shall mean a requirement in this chapter that requires coverage for specific health services, specific diseases or certain providers of health care.

(e) The commissioner may promulgate rules and regulations as are necessary to carry out this section.

(f) Notwithstanding any special or general law to the contrary, no plan approved by the commissioner under this section shall be available to an employer who has provided a policy of accident and sickness insurance to any employee within 12 months.

SECTION 268. Chapter 176A of the General Laws is hereby amended by inserting after section 1D the following section:

Section 1E. (a) Except as otherwise provided in this section, the commissioner shall not disapprove a contract between a subscriber and the corporation under an individual or group hospital services plan solely on the basis that it does not include coverage for at least one mandated benefit.

(b) The commissioner shall not approve a contract unless it provides, at a minimum, coverage for:

(1) pregnant women, infants and children as set forth in section 8B;

(2) prenatal care, childbirth and postpartum care as set forth in section 8H;

(3) cytologic screening and mammographic examination as set forth in section 8J;

(3A) diabetes-related services, medications, and supplies as defined in section 8P;

(4) early intervention services as set forth in said section 8B; and

(5) mental health services as set forth in section 8A; provided however, that if the contract limits coverage for outpatient physician office visits, the commissioner shall not disapprove the contract on the basis that coverage for outpatient mental health services is not as extensive as required by said section 8A, as long as such coverage is at least as extensive as coverage under the contract for outpatient physician services.

(c) The commissioner shall not approve a contract that does not include coverage for at least one mandated benefit unless the corporation continues to offer at least one contract that provides coverage that includes all mandated benefits.

(d) For purposes of this section, 'mandated benefit' shall mean a requirement in this chapter that requires coverage for specific health services, specific diseases or certain providers of health care.

(e) The commissioner may promulgate rules and regulations as are necessary to carry out this section.

(f) Notwithstanding any special or general law to the contrary, no plan approved by the commissioner under this section shall be available to an employer who has provided a hospital services plan, to any employee within 12 months.

SECTION 269. Chapter 176B of the General Laws is hereby further amended by inserting after section 6B, the following section:—

Section 6C. (a) Except as otherwise provided in this section, the commissioner shall not disapprove a subscription certificate solely on

the basis that it does not include coverage for at least one mandated benefit.

(b) The commissioner shall not approve a subscription certificate unless it provides, at a minimum, coverage for:

(1) pregnant women, infants and children as set forth in section 4C;

(2) prenatal care, childbirth and postpartum care as set forth in section 4H;

(3) cytologic screening and mammographic examination;

(3A) diabetes-related services, medications and supplies as defined in section 4S;

(4) early intervention services as set forth in said section 4C; and

(5) mental health services as set forth in section 4A; provided however, that if the subscription certificate limits coverage for outpatient physician office visits, the commissioner shall not disapprove the subscription certificate on the basis that coverage for outpatient mental health services is not as extensive as required by said section 4A, as long as such coverage is at least as extensive as coverage under the subscription certificate for outpatient physician services.

(c) The commissioner shall not approve a subscription certificate that does not include coverage for at least 1 mandated benefit unless the corporation continues to offer at least one subscription certificate that provides coverage that includes all mandated benefits.

(d) For purposes of this section, 'mandated benefit' shall mean a requirement in this chapter that requires coverage for specific health services, specific diseases or certain providers of health care.

(e) The commissioner may promulgate rules and regulations as are necessary to carry out this section.

(f) Notwithstanding any special or general law to the contrary, no plan approved by the commissioner under this section shall be available to an employer who has provided a subscription certificate, to any employee within 12 months.

SECTION 270. Chapter 176G of the General Laws is hereby amended by inserting after Section 16 the following new section:—

Section 16A. (a) Except as otherwise provided in this section, the commissioner shall not disapprove a health maintenance contract solely on the basis that it does not include coverage for at least 1 mandated benefit.

(b) The commissioner shall not approve a health maintenance contract unless it provides coverage for:

(1) pregnant women, infants and children as set forth in section 4;

(2) prenatal care, childbirth and postpartum care as set forth in said section 4 and section 4I;

(3) cytologic screening and mammographic examination as set forth in said section 4;

(3A) diabetes-related services, medications and supplies as defined in section 4H;

(4) early intervention services as set forth in said section 4; and

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(5) mental health services as set forth in section 4M; provided however, that if the health maintenance contract limits coverage for outpatient physician office visits pursuant to section 16, the commissioner shall not disapprove the health maintenance contract on the basis that coverage for outpatient mental health services is not as extensive as required by said section 4M as long as such coverage is at least as extensive as coverage under the health maintenance contract for outpatient physician services.

(c) The commissioner shall not approve a health maintenance contract that does not include coverage for at least one mandated benefit unless the health maintenance organization continues to offer at least one health maintenance contract that provides coverage that includes all mandated benefits.

(d) For purposes of this section, 'mandated benefit' shall mean a requirement in this chapter that requires coverage for specific health services, specific diseases or certain providers of health care.

(e) The commissioner may promulgate rules and regulations as are necessary to carry out the provisions of this section.

(f) Notwithstanding any special or general law to the contrary, no plan approved by the commissioner under this section shall be available to an employer who has provided a health maintenance contract, to any employee within 12 months."

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow; and on the roll call 34 members voted in the affirmative and 119 in the negative.

[See Yea and Nay No. 272 in Supplement.]

[Mr. Madden of Nantucket answered "Present" in response to his name.]

Therefore the amendment was rejected.

Mr. Vallee of Franklin then moved to amend the bill in section 98, in line 1196, by striking out the figure "9" and inserting in place thereof the figures "10", and, in line 1203, by inserting after the words "administration and finance" the following: "1 of whom shall be an expert representative from a labor organization representing the health care workforce". The amendments were adopted.

Ms. Walz of Boston then moved to amend the bill in section 98, in line 1196, by striking out the figures "10" (inserted by the previous amendment) and inserting in place thereof the figures "11", in line 1197, by striking out the figure "4" and inserting in place thereof the figure "6" and in line 1200, by inserting after the word "care" the following: "1 of whom shall be an expert in women's health, 1 of whom shall be a purchaser of health insurance." The amendments were adopted.

Ms. Balsler of Newton then moved to amend the bill in section 123, in line 2492, by inserting after the word "centers" the words "and community based behavioral health provider organizations", in line 2630, by inserting after the word "participation" the words "whether the grantee serves a high proportion of public payer clients, whether the grantee is eligible to receive Medicare or Medicaid incentive payments under the federal Health Information Technology for Economic and Clinical Health Act", and, in line 2645, after the following: "chapter 111", and also in line 2645, after the following: "chapter 118G." (as changed by the committee on Bills in the Third Reading) by inserting, in each instance, the words "and to community based behavioral health organizations". The amendments were adopted.

Amendment
rejected,—
yea and nay
No. 272.

Mr. Costello of Newburyport then moved to amend the bill by inserting after section 143 the following section:

“SECTION 143A. Section 6 of chapter 176J of the General Laws is hereby amended by striking subsection (c), as most recently amended by section 31A of chapter 359 of the acts of 2010, and inserting in place thereof the following subsection:—

(c) Notwithstanding any general or special law to the contrary, the commissioner may require carriers offering small group health insurance plans, including carriers licensed under chapters 175, 176A, 176B or 176G, to file all changes to small group product base rates and to small group rating factors at least 90 days before their proposed effective date. The commissioner shall disapprove any proposed changes to base rates that are excessive, inadequate or unreasonable in relation to the benefits charged. The commissioner shall disapprove any change to small group rating factors that is discriminatory or not actuarially sound. The determination of the commissioner shall be supported by sound actuarial assumptions and methods, which shall be provided in writing to the carrier. Rate filing materials submitted for review by the division shall be deemed confidential and exempt from the definition of public records in clause Twenty-sixth of section 7 of chapter 4. The commissioner shall adopt regulations to carry out this section.”

The amendment was rejected.

Ms. Fox of Boston then moved to amend the bill in section 121, in line 1561, by striking out the word “and”, in line 1565, by striking out the punctuation mark “.” and inserting in place thereof the punctuation mark “;” and by inserting after said line the following three clauses:

“(4) Ensure that patient-centered medical homes develop and maintain appropriate comprehensive care plans for their patients with complex or chronic conditions, including group visits, chronic disease self-management programs and an assessment of health risks and chronic conditions;

(5) Promote the integration of mental health and behavioral health services with primary care services including, but not limited to, the establishment of a behavioral health medical home; recovery coaching and peer support, and services provided by peer support workers, certified peer specialists and licensed alcohol and drug counselors; and

(6) Improve access to health care services and quality of care for vulnerable populations including, but not limited to, children, the elderly, low-income individuals, individuals with disabilities, individuals with chronic illnesses and racial and ethnic minorities, including demonstrating an ability to provide culturally and linguistically appropriate care, patient education and outreach provided by community health workers.”

The amendments were adopted.

Mr. Golden of Lowell then moved to amend the bill in section 55, in line 459, by striking out the figure: “3” and inserting in place thereof the figure: “5”, and, in line 461, by inserting after the word “analysis” the following: “and one of whom shall be members of labor organizations selected from a list of 3 names submitted by the President of the Massachusetts AFL-CIO”. The amendments were adopted.

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cost.

Mr. Lawn of Watertown and other members of the House then moved to amend the bill in section 180 (as published), in lines 3713 to 3716, inclusive, by striking out the following paragraph:

“Section 60M. In any action for malpractice, negligence, error, omission, mistake or the unauthorized rendering of professional services against a provider of health licensed pursuant to section 2 of chapter 112, including actions pursuant to section 60B, an expert witness shall have been engaged in the practice of medicine at the time of the alleged wrongdoing.”

The amendment was adopted.

Mr. Mahoney of Worcester then moved to amend the bill in section 121, in line 1595, by inserting after the word “health” the words “, Medicare-certified home health agency for those patients that receive home-health services”. The amendment was adopted.

Mr. Linsky of Natick then moved to amend the bill in section 97, in line 1006, by inserting after the word “center” the words “home health and hospice care provider”; and the amendment was adopted.

Mr. Sánchez of Boston then moved to amend the bill by adding the following section:

“SECTION 267. Section 5 of Chapter 112 of the General Laws is hereby amended by striking out paragraphs 6 through 8, inclusive, and inserting in place thereof the following four paragraphs:—

The board shall collect the following information reported to it to create individual profiles on licensees and former licensees, in a format created by the board that shall be available for dissemination to the public:

(a) a description of any criminal convictions for felonies and serious misdemeanors as determined by the board. For the purposes of this subsection, a person shall be deemed to be convicted of a crime if he pleaded guilty or if he was found or adjudged guilty by a court of competent jurisdiction;

(b) a description of any charges for felonies and serious misdemeanors as determined by the board to which a physician pleads nolo contendere or where sufficient facts of guilt were found and the matter was continued without a finding by a court of competent jurisdiction;

(c) a description of any final board disciplinary actions;

(d) a description of any final disciplinary actions by licensing boards in other states;

(e) a description of revocation or involuntary restriction of privileges by a hospital, clinic or nursing home under the provisions of chapter 111, or of any employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth, for reasons related to competence or character that have been taken by the governing body or any other official of the hospital, clinic or nursing home or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth after procedural due process has been afforded, or the resignation from or nonrenewal of medical staff membership or the restriction of privileges at a hospital, clinic or nursing home or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth taken in lieu of or in settlement of a pending disciplinary case

related to competence or character in that hospital, clinic or nursing home or of any employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine or employer who employs physicians licensed by the board for the purpose of engaging in the practice of medicine in the commonwealth ;

(f) all medical malpractice court judgments and all medical malpractice arbitration awards in which a payment is awarded to a complaining party and all settlements of medical malpractice claims in which a payment is made to a complaining party. Dispositions of paid claims shall be reported in a minimum of three graduated categories indicating the level of significance of the award or settlement. Information concerning paid medical malpractice claims shall be put in context by comparing an individual licensee's medical malpractice judgment awards and settlements to the experience of other physicians within the same specialty. Information concerning all settlements shall be accompanied by the following statement: 'Settlement of a claim may occur for a variety of reasons which do not necessarily reflect negatively on the professional competence or conduct of the physician. A payment in settlement of a medical malpractice action or claim should not be construed as creating a presumption that medical malpractice has occurred.' Nothing herein shall be construed to limit or prevent the board from providing further explanatory information regarding the significance of categories in which settlements are reported.

Pending malpractice claims shall not be disclosed by the board to the public. Nothing herein shall be construed to prevent the board from investigating and disciplining a licensee on the basis of medical malpractice claims that are pending.

(g) names of medical schools and dates of graduation;

(h) graduate medical education;

(i) specialty board certification;

(j) number of years in practice;

(k) names of the hospitals where the licensee has privileges;

(l) appointments to medical school faculties and indication as to whether a licensee has a responsibility for graduate medical education within the most recent ten years;

(m) information regarding publications in peer-reviewed medical literature within the most recent ten years;

(n) information regarding professional or community service activities and awards;

(o) the location of the licensee's primary practice setting;

(p) the identification of any translating services that may be available at the licensee's primary practice location;

(q) an indication of whether the licensee participates in the medic-aid program.

The board shall provide individual licensees with a copy of their profiles prior to release to the public. A licensee shall be provided a reasonable time to correct factual inaccuracies that appear in such profile.

A physician may elect to have his profile omit certain information provided pursuant to clauses (l) to (n), inclusive, concerning academic appointments and teaching responsibilities, publication in peer-reviewed journals and professional and community service awards. In collecting

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information for such profiles and in disseminating the same, the board shall inform physicians that they may choose not to provide such information required pursuant to said clause (l) to (n), inclusive.

For physicians who are no longer licensed by the board, the board shall continue to make available the profiles of such physicians, except for those who are known by the board to be deceased. The board shall maintain the information contained in the profiles of physicians no longer licensed by the board as of the date the physician was last licensed, and include on the profile a notice that the information is current only to that date.”

The amendment was adopted.

The same member then moved to amend the bill in section 121, in line 1673, by inserting after the word “act.” the following paragraph:

“Section 47A. The division shall provide a copy of any notices, issued pursuant to section 47, to the attorney general, who may obtain information submitted to or considered by the division in its review of cost growth for individual health care entities under section 47 as well as information related to any performance improvement plan required in accordance with section 48.”

The amendment was adopted.

Mr. Lawn of Watertown and other members of the House then moved to amend the bill in section 180 (as published), in lines 3717 to 3721, inclusive, by striking out the following paragraph:

“Section 60N. In any action for malpractice, negligence, error, omission, mistake or the unauthorized rendering of professional services against a provider of health licensed pursuant to section 2 of chapter 112, including actions pursuant to section 60B of this chapter, an expert witness shall be board certified in the same specialty as the defendant physician as licensed pursuant to section 2 of chapter 112.”

The amendment was adopted.

Mr. Atsalis of Barnstable then moved to amend the bill in section 98, in lines 1159 to 1165, inclusive (as changed by the committee on Bills in the Third Reading), by striking out the definition of “Sole community provider” and inserting in place thereof the following definition:

“‘Sole community provider’, any acute hospital which qualifies as a sole community provider under Medicare regulations or under regulations promulgated by the executive office, which regulations shall consider factors including, but not limited to, isolated location, weather conditions, travel conditions, percentage of Medicare, Medicaid and free care provided and the absence of other reasonably accessible hospitals in the area; provided, that such hospitals shall include those which are located more than 20 miles driving distance from other such hospitals in the commonwealth and which provide services for at least 60 per cent of their primary service area.”

The amendment was adopted.

Mr. Vieira of Falmouth then moved to amend the bill by striking out section 49; and the amendment was rejected.

Mr. Walsh of Boston and other members of the House then moved, there being no objection, to amend the bill in section 121, in lines 1541 to 1544 (as previously amended), by striking out clause (d) and inserting in place thereof the following clause:

“(d) Any alternative payment methodology shall include a risk adjustment based on health status. The division shall create standards for the calculation of risk adjustments and update those standards on an annual basis; provided that such calculations as affect pediatric patients shall take into account the diagnoses and care needs of children. In establishing risk adjustment standards, the division may take into account functional status, socioeconomic or cultural factors.”.

The amendment was adopted.

Mr. Finn of West Springfield then moved to amend the bill in section 121, in lines 1764 to 1779, inclusive, by striking out clause (b) and inserting in place thereof the following clause:

“(b) A market impact review may examine factors including, but not limited to: (1) the provider’s size and market share by major service category within its primary service areas and dispersed service areas; (2) provider price, including its relative prices filed with the division of insurance pursuant to chapter 176S; (3) the provider’s impact on competing options for the delivery of health care services within its primary service areas and dispersed service areas; including if not applicable, the impact on existing service providers of a provider organization’s expansion, affiliation, merger or acquisition, to enter a primary or dispersed service area in which it did not previously operate; (4) the methods used by the organization to attract patient volume and to recruit or acquire health care professionals or facilities; (5) the role of the provider in serving at-risk, underserved and government payer patient populations within its primary service areas and dispersed service areas; (6) the financial solvency of the provider; and (7) consumer concerns, including but not limited to complaints or other allegations that the provider has engaged in any unfair method of competition or any unfair or deceptive act or practice.”.

The amendment was adopted.

Mr. Bradley of Hingham being in the Chair,—

Mr. Donato of Medford then moved to amend the bill in section 84, in line 706, by inserting after the following: “Part 170.” the following sentence: “This section shall not apply to any applicant board certified and practicing as a pathologist.”. The amendment was adopted.

The Speaker being in the Chair,—

Mr. Kafka of Stoughton then moved to amend the bill in section 121, in lines 1517 to 1521, inclusive, by striking out clauses (c) and (d) inserting in place thereof the following three clauses:

“(c) issue administrative bulletins and various other forms of official guidance that are necessary to effectuate the purposes of this chapter;

(d) waive any of its requirements to permit and support innovative demonstrations or pilot programs; provided that such waivers may only be renewed if material savings or improvements in the delivery and quality of care can be documented, to the satisfaction of the division; and

(e) establish safeguards against underutilization of innovative technologies and services, although they may represent a higher cost than the use of current therapies.”.

The amendment was adopted.

Mr. Walsh of Lynn then moved to amend the bill in section 97, in line 1051 by inserting after the word “year” the words: “as further defined by the division in regulation”;

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In section 121, lines 1619, 1620, 1623, by inserting after the word “statewide”, in each instance, the words “per capita”, in lines 1627 and 1629, by inserting before the word “potential”, in each instance, the word “projected”, in lines 1635, 1646, 1649 and 1664, by inserting after the word “regional”, in each instance, the words “per capita”, in line 1818, by inserting after the word “shall” the words “annually report on or”, in line 1820, by inserting after the word “The” the words “report or”, in line 1923, by striking out the words “, subject to chapter 30B,”, and, in lines 1938, 1942 and 1943, by striking out the word “council” and inserting in place thereof, in each instance, the word “division”;

In section 123, in line 2437, by inserting after the following: “(ii)” the words “fulfill its current and any future contract obligations with the Office of Medicaid to administer specific operational components of”, and, in line 2575, by striking out the word “contact” and inserting in place thereof the word “contract”;

In section 130, line 2944, by striking out the words “division of health care cost and quality” and inserting in place thereof the word “authority”;

In section 200 (as inserted by the committee on Bills in the Third Reading), in the first paragraph, after the words “total net assets”, by striking out the word “and” and inserting in place thereof the word “or”; and by adding the following section:

“SECTION 268. Notwithstanding any general or special law or rule or regulation to the contrary, all orders, rules and regulations duly made and all approvals duly granted by the transferor agency, the division of health care finance and policy, in relation to section 18 of chapter 15A, sections 6C and 18B of chapter 118G and section 188 of chapter 149 of the General Laws, which are in force immediately before the effective date of this act, shall continue in force and shall thereafter be enforced, until superseded, revised, rescinded or canceled, in accordance with law, by the transferee agency, the commonwealth health insurance connector.”.

The amendments were adopted.

Quorum.

Pending the question on passing the bill to be engrossed, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 273.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

[See Yea and Nay No. 273 in Supplement.]

Therefore a quorum was present.

Suspension
of Rule 1A.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, the Speaker placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Rule 1A
suspended,—
yea and nay
No. 274.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 124 members voted in the affirmative and 30 in the negative.

[See Yea and Nay No. 274 in Supplement.]

Therefore Rule 1A was suspended.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Walsh of Lynn; and on the roll call (Mr. Donato of Medford being in the Chair) 148 members voted in the affirmative and 7 in the negative.

Bill passed to be engrossed,—yea and nay No. 275.

[See Yea and Nay No. 275 in Supplement.]

Therefore the bill (Senate, No. 2270, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments (for text of House amendments, see House document numbered 4155).

Orders of the Day.

Recommitted House bills

Authorizing the town of Tyringham to continue the employment of the Chief of Police, Peter Curtin (House, No. 3524, changed); and

Third reading bills.

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (House, No. 3525, changed);

Severally were passed to be engrossed.

The Senate Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trail Court (Senate, No. 2272); and

Second reading bills.

House bills

Relating to fire insurance (House, No. 298);

Relative to continuing education of insurance producers (House, No. 300);

Relative to psychology training (House, No. 1003);

To encourage well qualified practitioners in the field of personal training (House, No. 1005);

Relative to adding the town of Harvard to the Devens Economic Target Area (House, No. 3717);

Amending Chapter 372 of the Acts of 1963 relative to the rights of the water supply district of Acton to acquire any water source in the town of Boxborough (House, No. 3820);

Designating a certain bridge in the city [sic] of Lowell as the Gentz Brothers Memorial Bridge (House, No. 3951);

Authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033); and

Relative to the management of town buildings, properties and facilities in the town of Foxboro (House, No. 4052);

Severally were read a second time; and they were ordered to a third reading.

The House Bill establishing the Massworks infrastructure program (House, No. 3619), was read a second time.

Second reading bill amended.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— that the bill be amended by substitution of a bill with the same title (House, No. 3863),— was rejected.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4090),— then was adopted; and the substituted bill was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

Mr. Barrows of Mansfield then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-three minutes after nine o'clock P.M. (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.

Wednesday, June 6, 2012.

At one o'clock P.M., the two Houses met in

JOINT SESSION

and were called to order by the Honorable Therese Murray, President of the Senate. Joint convention.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Mr. Rosenberg, at one minute past one o'clock P.M., the convention of the two branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

Thursday, June 7, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session.

Pledge of
allegiance.

At the request of the Speaker, 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:

Jack
Connors.

Resolutions (filed by Speaker DeLeo of Winthrop) honoring Jack Connors on his sixteen years of service as chairman of the board of Partners Healthcare;

Alex
Shepard.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Alex Shepard on receiving the Eagle Award of the Boy Scouts of America;

Maxwell J.
Boehnert.

Resolutions (filed by Ms. Garlick of Needham) congratulating Maxwell J. Boehnert on receiving the Eagle Award of the Boy Scouts of America;

Nicholas A.
Kalamvokis.

Resolutions (filed by Ms. Garlick of Needham) congratulating Nicholas A. Kalamvokis on receiving the Eagle Award of the Boy Scouts of America;

Scoliosis
awareness.

Resolutions (filed by Mrs. Nyman of Hanover) congratulating the National Scoliosis Foundation and the Scoliosis Research Society on their observance of June 2012 as National Scoliosis Awareness Month;

Robert
Guidi.

Resolutions (filed by Mr. Pignatelli of Lenox) celebrating Robert Guidi's fifty eight years of service to the town of Great Barrington and congratulating him on his retirement; and

Hanson,—
Wirth
Square.

Resolutions (filed by Mr. Webster of Pembroke) on the occasion of the dedication of the PFC Joseph William Wirth Square in the town of Hanson;

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

Orders.

The following order (filed by Ms. Khan of Newton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Children,
Families and
Persons with
Disabilities,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Tuesday, April 10, 2012, within which to make its final report on current House document numbered 3902, relative to mandated reporters.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Khan, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date "April 10" and inserting in place thereof the date "June 12"; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Wagner of Chicopee) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Monday, December 31, 2012, within which to make its final report on current House document numbered 25.

Economic Development and Emerging Technologies,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Wagner, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Sunday, July 15, 2012 within which to make its final report on current Senate document numbered 1762, relative to transportation matters.

Transportation committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. Straus of Mat-tapoisett, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 29, 2012 within which to make its final report on current Senate documents numbered 1746 and 1804, relative to transportation matters.

Id.

Under suspension of the rules, on motion of Mr. Straus of Mat-tapoisett, the order was considered forthwith; and it was adopted, in concurrence.

A Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino Bridge (Senate, No. 2218) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Bourne,—Pucino Bridge.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2285) of Gale D. Candaras (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to exchange parcels of land;

Springfield,—land.

Petition (accompanied by bill, Senate, No. 2288) of Michael R. Knapik and Donald Humason (with the approval of the mayor and city

Westfield,—charter.

council) for legislation to revise and restate the charter of the city of Westfield; and

Wilmington,—
Redevelopment
Authority.

Petition (accompanied by bill, Senate, No. 2289) of Bruce E. Tarr, James M. Miceli and Charles A. Murphy (by vote of the town) for legislation relative to the Redevelopment Authority in the town of Wilmington;

Severally to the committee on Municipalities and Regional Government.

Becket,—
Fred Snow
and
Johnson
roads.

Petition (accompanied by bill, Senate, No. 2291) of Benjamin B. Downing and Paul W. Mark (by vote of the town) for legislation to authorize the town of Becket to establish a speed regulation on Fred Snow Road and Johnson Road. To the committee on Transportation.

Maria
Conlon,—
sick leave.

A petition (accompanied by bill) of Marc R. Pacheco and Shauna L. O'Connell for legislation to establish a sick leave bank for Maria Conlon, an employee of the Registry Division of the Department of Transportation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2296) was referred, in concurrence, to the committee on the Public Service.

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 following petitions;

Polling
places.

Petition (accompanied by bill) of Jennifer E. Benson and others relative to the length of time polling places are open. To the committee on Election Laws.

Cape Cod,—
water
protection
district.

Petition (accompanied by bill) of Cleon H. Turner and Sarah K. Peake for legislation to authorize retirement benefits to employees of the Orleans, Brewster and Eastham Groundwater Protection District. To the committee on Public Service.

Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Fire damage,—
insurance.

Relative to the anti-arson application for dwelling policies (House, No. 3129); and

School
athletic
resources.

Relative to the disclosure of information of public school athletic resources and interscholastic athletic authorized representatives (House, No. 4080);

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.

State House art
commission and
architect.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill relative to the State House art commission and State House architect (House, No. 4124), ought to pass.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill financing improvements to the Commonwealth's transportation system (House, No. 4145), ought to pass. Transportation system.

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

By Mr. Sánchez of Boston, for the committee on Public Health, on Senate, Nos. 1068, 1103, 1154, 1165, 1168, 1169, 1170 and 1173 and House, Nos. 602, 1471, 1482, 1515, 1516 and 1522, a Bill establishing an office of state health resource planning and modernizing the determination of need process (House, No. 4154). Referred, under Joint Rule 1E, to the committee on Health Care Financing. Health resource planning.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to Congo conflict materials (House, No. 3982). Congo,—contracts.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill relative to drivers education in public high schools (House, No. 927). Driver education.

By the same member, for the same committee, on a petition, a Bill providing for an air medal license plate (House, No. 1785). Air medal,—license plates.

By the same member, for the same committee, on a petition, a Bill relative to disabled veterans' motor vehicle plates (House, No. 1792). Veterans,—license plates.

By the same member, for the same committee, on a petition, a Bill relative to commercial vehicle inspections (House, No. 2649). Trucks, etc.—inspection.

By the same member, for the same committee, on a petition, a Bill to clarify farm plates (House, No. 2662). Farm plates.

By the same member, for the same committee, on a petition, a Bill to provide improved access to taxicabs for persons with disabilities (House, No. 3304). Taxicabs,—accessibility.

By the same member, for the same committee, on a petition, a Bill providing auto insurance special investigators with access to registry of motor vehicle photographs (House, No. 3576). Auto insurance investigators.

By the same member, for the same committee, on a petition, a Bill relative to veterans license plates (House, No. 3663, changed in line 5 by adding after the word "grandchildren" the word "grandparent"). Veterans,—license plates.

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

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill to safeguard municipal permitting (printed as Senate, No. 76). Municipal permitting.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing alternate members on local historical commissions (House, No. 3968). Historical commissions,—membership.

By the same member, for the same committee, on a petition, a Bill relative to a town of Canton conservation restriction (House, No. 4103) [Local Approval Received]. Canton,—Maresfield Farm.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill exempting the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from the civil service law and section 11 of chapter 142 of the General Laws (House, No. 3848) [Local Approval Received]. Newburyport,—civil service.

Maureen Shaw,—
death benefit.

By the same member, for the same committee, on a petition, a Bill providing certain accidental disability retirement benefits for the widow of a former police officer of the city of Boston (House, No. 3989) [Senator Brownsberger dissenting].

Male breast cancer week.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating male breast cancer awareness week (House, No. 4019).

Cambridge and Arlington,—
Gavin Highway.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain section of State Highway Route 2 in the city of Cambridge and town of Arlington as the James M. Gavin Memorial Highway (House, No. 913).

Speed limits.

By the same member, for the same committee, on a petition, a Bill relative to speed limits (House, No. 926).

Flashing lights.

By the same member, for the same committee, on a petition, a Bill relative to red and blue flashing, rotating or oscillating lights (House, No. 942).

Commercial vehicles,—
idling.

By the same member, for the same committee, on a petition, a Bill to exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 951).

Freetown,—
Trahan circle.

By the same member, for the same committee, on a petition, a Bill to designate a certain traffic circle in the town of Freetown (House, No. 1784).

Motorcycle inspections.

By the same member, for the same committee, on a petition, a Bill relative to motorcycle inspections (House, No. 1790).

Newbury,—
Hayden bridge.

By the same member, for the same committee, on a joint petition, a Bill designating a certain bridge in the town of Newbury in honor of John B. Hayden (House, No. 1809).

Carver,—
bridge.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Carver as the Julian Southworth and Nelson J. Garnett Memorial Bridge (House, No. 2640).

Swimming pools.

By the same member, for the same committee, on a petition, a Bill relative to the transportation of swimming pools (House, No. 2650).

Simonelli and Gabriele overpass.

By the same member, for the same committee, on a petition, a Bill designating a portion of Interstate 290 as the Michael Simonelli and Michael Gabriele Overpass (House, No. 3212).

Funerals,—
lights.

By the same member, for the same committee, on a petition, a Bill relative to funeral home vehicle lights (House, No. 3390).

Route 9,—
Marine highway.

By the same member, for the same committee, on a petition, a Bill designating that portion of Route 9 from the city of Northampton to the city of Pittsfield as the marine corps league highway (House, No. 3637).

New Bedford,—
Hebert bridge.

By the same member, for the same committee, on a petition, a Bill relative to the designation of a portion of Route 6 in New Bedford in honor of Roland J. Hebert (House, No. 3970, changed in line 1 by striking out the words “span of the New Bedford Fairhaven Bridge specifically the” and inserting in place thereof the following: “Route 6 bridge”).

Yarmouth,—
Xiarhos overpass.

By the same member, for the same committee, on House, No. 3966, a Bill designating a certain overpass in the town of Yarmouth as the Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass (House, No. 4156).

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for a certain employee of the Department of Developmental Services (see House, No. 3969), 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 6 to 0. Sent to the Senate for concurrence.

Janet
Ochner,—
sick leave
bank.

Orders of the Day.

The Senate Bill authorizing the board of selectmen of the town of Middleborough to impose fees for the employment of outside consultants (Senate, No. 1949) (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, in concurrence.

Third
reading
bill.

The Senate Bill improving water safety for children in the Commonwealth (Senate, No. 2075, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Water
safety,—
children.

Pending the question on passing the bill to be engrossed, in concurrence, Ms. Peake of Provincetown moved to amend it in section 3, in line 10, by striking out the words "A board of health" and inserting in place thereof the words "The department of public health", in said line 10, by striking out the word "recreational" and inserting in place thereof the words "municipal and recreational programs and", in line 16, by striking out the words "a recreational camp" and inserting in place thereof the words "municipal and recreational programs and camps", in line 17, by striking out the word "recreational" and inserting in place thereof the words "municipal or recreational program or", in line 20, by striking out the words "recreational camp" and inserting in place thereof the words "municipal and recreational programs or camps", and, in line 22, by striking out the word "recreational" and inserting in place thereof the words "municipal or recreational program or".

The amendments were adopted; and the bill (Senate, No. 2075, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

The Senate Bill relative to the sale of alcoholic beverages in the town of Wenham (Senate, No. 2273), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Wenham,—
alcohol
sales.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Hill of Ipswich moved to amend it in section 1, in line 4, by striking out the following: "sections 15 and" and inserting in place thereof the word "section".

The amendment was adopted; and the bill (Senate, No. 2273, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Controlled substances,— regulation and enforcement.

The House Bill relative to trafficking in methamphetamines (House, No. 2220), 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, Mr. Ross of Attleboro moved to amend it by substitution of a Bill relative to certain controlled substances (House, No. 4160), which was read.

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

Recess.

Recess.

At twenty-three minutes after eleven o'clock A.M., on motion of Mr. Donato of Medford (the Speaker being in the Chair), the House recessed until one o'clock P.M.; and at two minutes after two o'clock the House was called to order with Ms. Reinstein of Revere in the Chair.

Order.

Next sitting.

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.

At three minutes after two o'clock P.M., on motion of Mr. Barrows of Mansfield (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, June 11, 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.

Resignation of Representative Kane of Holyoke.

The following communication was read; and spread upon the records of the House, as follows:

June 8, 2012.

Steven T. James, Clerk
House of Representatives
State House
Boston, MA 02133

Dear Mr. Clerk,

I am writing to submit my resignation as State Representative for the 5th Hampden District, effective at the close of business today, June 8, 2012. Thank you for your attention to this matter, and I want to offer you and your staff a personal thank you for our service together. Resignation of Representative Michael F. Kane of Holyoke.

Sincerely,

MICHAEL F. KANE,
State Representative.

Resolutions.

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

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Kathryn Anne O'Connor on the occasion of her retirement; Kathryn Anne O'Connor.

Resolutions (filed by Messrs. Atsalis of Barnstable and Turner of Dennis) congratulating Judy Walden Scarafile on being named the 2012 Mercy Otis Warren Cape Cod Woman of the Year; Judy Walden Scarafile.

Resolutions (filed by Representatives Fox of Boston, Donato of Medford, Bradley of Hingham, Garballey of Arlington, Honan of Boston and O'Day of West Boylston) honoring Philip Irvin Bailey and the Music is Unity Foundation for their dedicated work on behalf of Foster Youths; Philip Irvin Bailey.

Resolutions (filed by Ms. Hogan of Stow) congratulating Conor R. Butler on achieving the rank of Eagle Scout with the Boy Scouts of America; Conor R. Butler.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Jeffrey R. Baudisch on receiving the Eagle Award of the Boy Scouts of America; Jeffrey R. Baudisch.

Alexander
Gagnon.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Alexander Evan Gagnon on receiving the Eagle Award of the Boy Scouts of America;

William
Shirley
Hein.

Resolutions (filed by Ms. Peisch of Wellesley) honoring William Shirley Hein on receiving the Eagle Award of the Boy Scouts of America;

B. Angus
MacDonald.

Resolutions (filed by Representatives Peisch of Wellesley and Khan of Newton) honoring B. Angus MacDonald on receiving the Eagle Award of the Boy Scouts of America;

Keegan
O'Leary.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Keegan Timothy O'Leary on receiving the Eagle Award of the Boy Scouts of America;

Citizens for
Public Schools.

Resolutions (filed by Mr. Smizik of Brookline) congratulating Citizens for Public Schools on the occasion of its thirtieth anniversary;

Daniel G.
Durgin, Sr.

Resolutions (filed by Representatives Smola of Palmer and Gobi of Spencer) congratulating Daniel G. Durgin, Sr., on his retirement as superintendent of Tantasqua and Union 61 school districts; and

Anthony
Mucciarone.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Anthony Mucciarone on his retirement from the Franklin Department of Public Works;

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 Mr. Walsh of Lynn, 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:

Sharon,—
liquor
licenses.

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 4163) of Louis L. Kafka, James E. Timilty and Brian A. Joyce (by vote of the town) for legislation to authorize the town of Sharon to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Newburyport,—
land in
Newbury.

By Representative Costello of Newburyport and Senator Tarr, a joint petition (accompanied by bill, House, No. 4164) of Michael A. Costello and Bruce E. Tarr (with the approval of the mayor and city council of the city of Newburyport) that the city of Newburyport be authorized to acquire interests in certain land in the town of Newbury. To the committee on Telecommunications, Utilities and Energy.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Plumbing,—
insurance.

By Mr. Durant of Spencer, a petition (subject to Joint Rule 12) of Peter J. Durant for legislation to clarify insurance requirements for plumbing work.

Breathalyzer
refusal,—
licenses.

By Mr. O'Flaherty of Chelsea, a petition (subject to Joint Rule 12) of Eugene L. O'Flaherty, Martha M. Coakley and others relative to the suspension of driver's licenses for refusing to take a breathalyzer test.

Louise
Moson,—
sick leave.

By Representative Wagner of Chicopee and Senator Welch, a joint petition (subject to Joint Rule 12) of Joseph F. Wagner and James T.

Welch for legislation to establish a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill providing for certain reforms to the Massachusetts Department of Transportation (House, No. 4125), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 3 and inserting in place thereof the following section:

MassDOT,—
reforms.

“SECTION 3. Section 132 of chapter 25 of the acts of 2009 is hereby amended by adding the following sentence:— Section 6 of chapter 15 of the acts of 1993 shall cease to have legal effect 10 days after the authority provides notice to the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means and to the chair of the joint committee on transportation of an intent, consistent with the requirements of section 132 of chapter 25 of the acts of 2009, to enter into any sale, conveyance, mortgage, pledge, lease, exchange, abandonment or other disposition of said garage.”

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments. Sent to the Senate for its action.

A Bill further regulating certain town meeting notices in the town of Belmont (Senate, No. 2223) (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.

Belmont,—
town meeting
notices.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2294) of Michael R. Knapik and John W. Scibak (with the approval of the mayor and city council) for legislation to authorize the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Easthampton,—
liquor license.

Petition (accompanied by bill, Senate, No. 2295) of Therese Murray, Viriato Manuel deMacedo and Thomas J. Calter (by vote of the town) for legislation to amend the charter of the town of Plymouth. To the committee on Municipalities and Regional Government.

Plymouth,—
town charter.

Reports of Committees.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to certain reforms relative to the Massachusetts Department of Transportation (House, No. 4161) (for order, see House, No. 4162). The order was considered forthwith; and it was adopted.

Transportation,—
reforms.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on the residue of House, No. 4109, a Bill relative to certain reforms

Id.

Transportation,—
reforms.

relative to the Massachusetts Department of Transportation (House, No. 4161). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Virginia
Wise,—
retirement
benefits.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill directing the State Board of Retirement to grant certain retirement benefits (House, No. 1593). Read; and referred, under Rule 33, to the committee on Ways and Means.

North
Andover,—
selectmen.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill relative to vacancies in the office of selectmen in the town of North Andover (House, No. 3832) [Local Approval Received].

Boston,—
ballots.

By the same member, for the same committee, on a petition, a Bill amending the preparation of certain ballots in the city of Boston (House, No. 4020) [Local Approval Received].

Hopedale,—
direct
deposits.

Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a recommitted joint petition, a Bill authorizing the town of Hopedale to allow direct deposit of receipts into certain funds (House, No. 3937) [Local Approval Received] (Report filed on May 17, 2012).

North
Andover,—
Amy
McCarthy.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill authorizing the appointment of Amy McCarthy as a police officer in the town of North Andover, notwithstanding the maximum age requirements (House, No. 3835) [Local Approval Received].

Haverhill,—
William M.
Cowl, Jr.

By the same member, for the same committee, on a joint petition, a Bill authorizing the appointment of William M. Cowl, Jr., as a firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 3990) [Local Approval Received].

Lawrence
Marino,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Lawrence Marino, an employee of the Massachusetts Department of Transportation (House, No. 4158).

Clifton
Watson,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Mr. Clifton Watson, an employee of the Registry of Motor Vehicles (House, No. 4159).

East
Bridgewater,—
tax titles.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill relative to tax titles in the town of East Bridgewater (House, No. 3991) [Local Approval Received].

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 House bills be scheduled for consideration by the House:

Counties.

Relative to certain county elections for certain vacancies (House, No. 211);

Establishing identification requirements for voters who registered by mail (House, No. 1981);	Voter identification.
Relative to public access of private restrooms (House, No. 2366);	Restrooms.
Relative to absentee ballots (House, No. 2734);	Absent voting.
Relative to absentee voting (House, No. 2740);	Id.
Prohibiting certain election practices (House, No. 3113);	Campaign sites.
Regarding Decennial division of wards and precincts in the city of Boston (House, No. 3819) [Local Approval Received];	Boston,—wards, etc.
Relative to the recall of elective officers in the town of North Andover (House, No. 3831) [Local Approval Received];	North Andover,—recall.
Designating male breast cancer awareness week (House, No. 4019);	Breast cancer.
Relative to protective headgear for soccer players (House, No. 4082);	Soccer helmets.
Relative to a town of Canton conservation restriction (House, No. 4103) [Local Approval Received];	Maresfield Farm.
Relative to specially qualified voters (House, No. 4126); and	Voters.
To prohibit negative option sales (House, No. 4130);	Option sales.
Generally placed in the Orders of the Day for the next sitting for a second reading.	

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Janet Ochner, an employee of the Department of Developmental Services (see House, No. 3969) (which 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.

The engrossed authorizing the board of selectmen of the town of Middleborough to impose reasonable fees for the employment of outside consultants in connection with the review of earth removal applications (see Senate, No. 1949, amended) (which originated in the Senate), having been certified by the Clerk to 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.

Recess.

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

Recess.

Emergency Measure.

The engrossed Bill relative to certain reforms relative to the Massachusetts Department of Transportation (see House, No. 4125), 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.

MassDOT,—reforms.

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 4 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At five minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, June 13, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at ten minutes after one o'clock the House was called to order with the Speaker in the Chair. Recess.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum. Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 143 members were recorded as being in attendance. Quorum,—
yea and nay
No. 276.

[See Yea and Nay No. 276 in Supplement.]

Therefore a quorum was present.

Valedictory Address.

During the session, there being no objection, Mr. Vallee of Franklin addressed the House regarding his departure from service in the House of Representatives. Valedictory address.

Resolutions.

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

Resolutions (filed by Mr. Arciero of Westford) congratulating Judith E. Ramirez on the occasion of her retirement from the town of Westford Council on Aging; and Judith E.
Ramirez.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating James Shobbrook on receiving the Eagle Award of the Boy Scouts of America; James
Shobbrook.

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 Mr. deMacedo of Plymouth, 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:

Danvers,—
liquor
license.

By Representative Speliotis of Danvers and Senator Berry, a joint petition (accompanied by bill, House, No. 4168) of Theodore C. Speliotis and Frederick E. Berry (by vote of the town) for legislation to authorize the town of Danvers to grant an additional license for the sale of all alcoholic beverages to be drunk on the premise. To the committee on Consumer Protection and Professional Licensure.

Springfield,—
land.

By Mr. Curran of Springfield, a petition (accompanied by bill, House, No. 4169) of Sean Curran (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to convey a certain parcel of land in said city;

Reading,—
easement.

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 4170) of Bradley H. Jones, Jr., James J. Dwyer and Katherine M. Clark (by vote of the town) for legislation to authorize the town of Reading to grant a utility easement over certain parcels of land in said town;

Wellfleet,—
land.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4171) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) relative to authorizing the town of Wellfleet to grant an easement on a certain parcel of land in said town; and

Fairhaven,—
land.

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 4172) of William M. Straus (by vote of the town) relative to authorizing the town of Fairhaven to grant an easement on a certain parcel of land;

Severally to the committee on Municipalities and Regional Government.
Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Gloria
Chisholm,—
sick leave.

By Representative Durant of Spencer and Senator Moore, a joint petition (subject to Joint Rule 12) of Peter J. Durant and Richard T. Moore for legislation to establish a sick leave bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation.

Fireworks,—
classification.

By Mr. Murphy of Weymouth (by request), a petition (subject to Joint Rule 12) of Matthew Maloney relative to further defining the classification of fireworks.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Topsfield,—
land.

The House Bill authorizing the town of Topsfield to convey a certain conservation land (House, No. 3719, amended), 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 following:

“SECTION 1. The conservation commission of the town of Topsfield may transfer the care, custody and control of a certain parcel of conservation land located off Pheasant Lane in said town to the board of selectmen. This parcel contains 7,681 square feet of land and is shown as ‘Parcel A’ on a plan of land entitled ‘Plan of Land in Tops-

field, Mass. Prepared for Brigitte & Timothy O'Malley And The Town of Topsfield Showing Parcels A & B', dated April 20, 2011, and prepared by The Neve-Morin Group, Inc., a copy of which is on file in the office of the board of selectmen of said town. Parcel A is a portion of an open space parcel granted to the town of Topsfield by deed dated May 20, 1991 and recorded in book 10857, page 271 in the Essex south district registry of deeds.

SECTION 2. If the conservation commission makes the transfer authorized in section 1, the town of Topsfield, acting by and through its board of selectmen, may then convey such parcel to Brigitte and Timothy O'Malley of 19 Pheasant Lane, subject to subsections (a), (b) and (g) of section 16 of chapter 30B of the General Laws.

SECTION 3. In consideration for and as a condition of the conveyance authorized in section 2, Brigitte and Timothy O'Malley shall convey to the town of Topsfield a certain parcel of land containing 7,681 square feet and shown as 'Parcel B' on the plan of land described in section 1, to be held in the care, custody and control of the conservation commission for conservation purposes.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Speliotis of Danvers, 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.

Bills

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

Further regulating tanning facilities (Senate, No. 2211) (on Senate, No. 1175); and Tanning facilities.

Relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 2300) (on Senate bill No. 1018); Municipal,—bylaws.

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.

Petition (accompanied by bill, Senate, No. 2297) of Thomas M. McGee, Steven M. Walsh, Robert F. Fennell, Lori A. Ehrlich and others (with the approval of the mayor and city council) for legislation relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc, was referred, in concurrence, to the committee on Public Service. Gregory LeBlanc,—benefits.

The petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2306) of William N. Brownsberger for legislation to authorize the lease of the Daly field complex located in the Brighton section of the city of Boston. To the committee on State Administration and Regulatory Oversight. Boston,—Daly field.

Petition (accompanied by bill, Senate, No. 2305) of Kenneth J. Donnelly for legislation to designate a certain bridge in the town of Billerica as the Helen Knight bridge. To the committee on Transportation. Helen Knight,—bridge.

Reports of Committees.

Chelsea,—
land.

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 Eugene L. O'Flaherty and Kathi-Anne Reinstein for legislation to authorize the Massachusetts Water Resources Authority to convey a certain parcel land in the city of Chelsea to said city. Under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Cyber cafes,—
regulate.

Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to the regulation of cyber cafes (House, No. 3765). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Lawrence
Marino.

Establishing a sick leave bank for Lawrence Marino, an employee of the Department of Transportation (House, No. 4158); and

Clifton
Watson.

Establishing a sick leave bank for Mr. Clifton Watson, an employee of the Registry of Motor Vehicles (House, No. 4159);

Under suspension of Rule 7A, 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.

Disabled,—
responsibilities,
etc.

Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to encourage responsibility, cost effectiveness and meaningful lives for individuals with disabilities (House, No. 984), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4167). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Truro,—
land.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill amending a conservation restriction in the town of Truro (House, No. 3919) [Local Approval Received] (Report filed on May 2, 2012).

Chereel
Stafilopatis,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Chereel Stafliopatis, an employee of the Executive Office of Health and Human Services (House, No. 4166).

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

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families (see House, No. 4029), 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.

Dacia Thompson,—
sick leave bank.

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 35 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (see House, No. 4065), 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.

Mark Lewis,—
sick leave bank.

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 52 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Providing for the protection of volunteer emergency medical technicians from dismissal (see House, No. 537); and

Bills enacted.

Requiring certain information relative to down syndrome be provided to certain parents and families (see House, No. 3825);

(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 Senate Bill relative to the Essex Regional Retirement System (Senate, No. 2230), reported by the committee on Bills in the Third Reading to correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third reading bill.

House bills

Designating a state road in the city of Waltham as Landry Way (House, No. 920);

Third reading bills.

Relative to leasing Sunny Meadow Farm in the town of Chelmsford (House, No. 3881); and

Authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed. Sent to the Senate for concurrence.

House bills

Relative to certain county elections for certain vacancies (House, No. 211);

Second reading bills.

Second
reading
bills.

Relative to the removal or transportation of trash (House, No. 1546);
 Establishing identification requirements for voters who registered
 by mail (House, No. 1981);
 Relative to public access of private restrooms (House, No. 2366);
 Regarding decennial division of wards and precincts in the city of
 Boston (House, No. 3819);
 Relative to the recall of elective officers in the town of North Andover
 (House, No. 3831);
 Designating male breast cancer awareness week (House, No. 4019);
 Relative to a town of Canton conservation restriction (House, No. 4103);
 and
 To prohibit negative option sales (House, No. 4130);
 Severally were read a second time; and they were ordered to a
 third reading.

MassDOT,—
reforms.

The House Bill relative to an accelerated transportation devel-
 opment and improvement program for the Commonwealth (House,
 No. 4161) (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.

After remarks on the question of passing the bill to be engrossed,
 Messrs. Winslow of Norfolk and Diehl of Whitman moved to amend it
 by adding the following three sections:

“SECTION 7. Section 6 of chapter 64C of the General Laws, as
 appearing in the 2010 Official Edition, is hereby amended by striking,
 in lines 3 and 11, respectively, the figure ‘100½’ and inserting in place
 thereof the following:— 125½.

SECTION 8. Section 13 of chapter 64C of the General Laws, as so
 appearing, is hereby amended by striking, in line 54, the words
 ‘twenty-five’ and inserting in place thereof the following:— twelve
 and one half.

SECTION 9. Section 6 of chapter 64C of the General Laws, as so
 appearing, is amended by adding at the end thereof:—

All cigarette excise revenues in excess of the amount received in the
 fiscal year ending June 30, 2012, shall be credited to the Massachusetts
 Transportation Trust Fund for the purpose of subsidizing the cost of
 fares for the Massachusetts Bay Transportation Authority.”

Point of
order.

Mr. Moran of Boston thereupon raised a point of order that the
 amendment offered by Mr. Winslow et al was improperly before the
 House for the reason that it went beyond the scope of the pending bill.

The Chair (Mr. Donato of Medford) ruled that the point of order
 was well taken, and the amendment was laid aside accordingly.

Mr. Winslow thereupon appealed from the decision of the Chair;
 and the appeal was seconded by Mr. Peterson of Grafton.

Decision
of Chair
sustained,—
yea and nay
No. 277.

After remarks on the question: “Shall the decision of the Chair
 stand as the judgment of the House?”, the sense of the House was
 taken by yeas and nays, at the request of Mr. Peterson; and on the roll
 call 121 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 277 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Durant of Spencer then moved to amend the bill by adding the following four sections:

“SECTION 7. Section 1 of chapter 21 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘recreation’ in lines 29 and 30 the following words:— a division of the Rose Fitzgerald Kennedy greenway.

SECTION 8. Chapter 21 of the General Laws is hereby amended by adding the following 3 sections:—

Section 64. As used in this section and in sections 65 to 66, inclusive, the term ‘greenway’ shall include (1) the open space and park parcels between the northerly limit of Causeway street and the southerly limit of Kneeland street in the city of Boston, not including the development parcels, and including at minimum parcels 5, 8, 10, 13, 14, 15, 16, 17, 19, 21, 22 and 23a through d, inclusive, as shown on a plan entitled ‘Parcel Land Use – Massachusetts Turnpike Authority – 2008’, drawn by Don Kindsvatter, April 1999 and most recently revised May 2008, the original of which is kept on file at the office of the Massachusetts Department of Transportation, together with any additional parcels and other areas as may not be developed by the Massachusetts Department of Transportation; (2) landscaped and sidewalk areas owned by the authority and shown on the plan that are not used exclusively for highway purposes, as well as such of development parcels 6, 12 and 18, for which the Massachusetts Department of Transportation has not previously executed a development agreement; and (3) such other properties as may be agreed to by the board and the Massachusetts Department of Transportation or as the legislature may from time to time add to the greenway; provided, however, that in no event shall the term ‘greenway’ include any element or space, deemed by the written certification of the secretary and chief engineer of the Massachusetts Department of Transportation to be necessary for the use, operation or maintenance of the Thomas P. O’Neill, Jr. tunnel.

(a) There shall be within the department, a division of the Rose Fitzgerald Kennedy greenway. The division shall maintain, subject to section 65, exclusive control over the greenway.

(b) The division, on behalf of the commonwealth and in consultation with the department, is hereby authorized and empowered to:

(1) improve, maintain and operate the greenway, including associated buildings and facilities and improvements thereon, as a public park for the benefit and enjoyment of the general public;

(2) apply for and receive funds from any source, public or private, by gift, grant, bequest, or otherwise, and to expend the same on behalf of the department to provide for the design, construction and operation of approved structures, facilities, and improvements thereon.

Section 65. (a) There shall be a Rose Fitzgerald Kennedy greenway board which shall consist of 11 members: 4 of whom shall be appointed by the commissioner of the department; 2 of whom shall be appointed by the secretary of the Massachusetts Department of Transportation; 2 of whom shall be the district’s house of representatives member and/or his designee(s); 2 of whom shall be the district’s senate member and/or his designee(s); and 1 of whom shall be the Mayor of Boston or his designee; provided, however, that of these appointed members:

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1 shall be a horticulturist; 1 shall be a landscape architect; 1 shall be an arborist; and at least 6 shall reside in the city of Boston.

(b) With the exception of the elected officials specified in Section 65 paragraph (a), board members shall serve for no more than two consecutive terms of three years each. In the creation of the board, members shall be appointed in the following manner: 3 members shall be appointed to a one year term, 4 members appointed to a 2 year term and 4 members appointed to a 3 year term. Subsequent appointees shall be made at the expiration of each term for a period of 3 years.

(c) The board shall be responsible for maintaining a balance of public recreation and open space programs for the greenway.

(d) The board may assess an event fee for any commercial use of the greenway. All monies collected pursuant to this subsection shall be deposited into the Rose Fitzgerald Kennedy Greenway Fund, established by section 66 of chapter 21.

(e) The board may receive and expend funds from any source, public or private, to carry out the purposes of this section. The monies collected and deposited into the Rose Fitzgerald Kennedy Greenway Fund, established under section 66 of chapter 21, shall be controlled by the board, in conjunction with and subject to an annual spending plan that shall be approved by the secretary of administration and finance.

(f) The board shall keep books, records and accounts of all its activities, which shall be open to inspection. The books and records of the board shall be subject to an annual audit by the state auditor. The state auditor shall present the results of the audit to the board, the state treasurer and the house and senate committees on ways and means. The board shall also prepare an annual report which shall include: a summary of all receipts and expenditures, including expenditures for specific operation, preservation, maintenance or recreation programs; a description of the various programs operated, contracted or sponsored by the board; and a directory of current board members, including their affiliation and terms of office thereof. The board shall provide a copy of the annual report to the house and senate committee on ways and means and the executive office of administration and finance.

(g) Board members shall serve without compensation, but shall be reimbursed for their expenses actually and necessarily incurred as proposal review board members. The board shall conduct all meetings in public, pursuant to sections 18 through 24, inclusive, of chapter 30A. Six members shall constitute a quorum.

(h) The board may adopt rules and regulations governing conduct and activity within the greenway, after consultation with the commissioner of the department of conservation and recreation.

Section 66. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Rose Fitzgerald Kennedy Greenway Fund, consisting of revenues received pursuant to sections 64 and 65 of chapter 21, including any interest or investment earnings on such monies and all other monies credited or transferred thereto from any other fund or source pursuant to law. This fund shall include money received from the Rose Kennedy Greenway Conservancy pursuant to section 12 of chapter 306 in the acts of 2008. Any unexpended balance in the fund at the end of the fiscal year shall not revert to the General Fund, but shall remain available for expenditure

in subsequent fiscal years. No expenditure made from the Rose Fitzgerald Kennedy Greenway Fund shall cause the fund to become deficient at any point during a fiscal year. The books and records of the Rose Fitzgerald Kennedy Greenway Fund shall be subject to an annual audit by the state auditor.

SECTION 9. Notwithstanding any general or special law to the contrary, any interest in land, lease, covenant, contract or agreement to operate, preserve, maintain, program or manage the greenway and the other open space parcels referred to in section 64 of chapter 21 of the General Laws is hereby transferred from either the Massachusetts Department of Transportation or the Rose Fitzgerald Greenway Conservancy, Inc., to the board of the Rose Fitzgerald Kennedy greenway division of the department of conservation and recreation.

SECTION 10. Chapter 306 of the Acts of 2008 is hereby repealed.”

Mr. Moran of Boston thereupon raised a point of order that the amendment offered by the gentleman from Spencer was improperly before the House for the reason that it was beyond the scope of the pending bill.

Point of order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Mr. Winslow of Norfolk and other members of the House then moved to amend the bill by adding the following section:

“SECTION 7. Section 3 shall not take effect until such time as the apportionment for the construction and reconstruction of town and county ways as described in clause (b) of section 4 of chapter 6C of the General Laws, commonly known as Chapter 90 program, for the 2012 calendar year is authorized by the General Court and approved by the Governor.”

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow of Norfolk; and on the roll call 34 members voted in the affirmative and 117 in the negative.

Amendment rejected,—yea and nay No. 278.

[See Yea and Nay No. 278 in Supplement.]

Therefore the amendment was rejected.

Mr. Bastien of Gardner then moved to amend the bill by adding the following section:

“SECTION 7. Section 7A of chapter 90 of the General Laws, as so appearing in the 2010 edition, is hereby amended by inserting after the word ‘cycle’, in line 71, the following:— and provided further that such fee shall not exceed \$25 in any year.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 33 members voted in the affirmative and 120 in the negative.

Amendment rejected,—yea and nay No. 279.

[See Yea and Nay No. 279 in Supplement.]

Therefore the amendment was rejected.

The same member then moved to amend the bill by striking out section 3 and inserting in place thereof the following section:

“SECTION 3. Notwithstanding any general or special law or regulation to the contrary, the registrar of motor vehicles is hereby authorized to transfer \$51,000,000 from the Motor Vehicle Inspection Trust Fund to the General Fund, such authorization limited to fiscal year

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2013 only and expiring on June 30, 2013. Not later than 30 days following said transfer, the comptroller shall transfer \$51,000,000 from the General Fund to the cities and towns of the Commonwealth for the construction and reconstruction of town and county ways as described in clause (b) of section 4 of chapter 6C of the General Laws.”.

The amendment was rejected.

Mrs. O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 7. Notwithstanding any general or special law to the contrary, the Board of the Massachusetts Bay Transport Authority shall, in conjunction with the Commonwealth’s transparency-promoting open checkbook program, publish online all pension payment information including name, former position, amount of yearly distribution of pension, and age of collector by April 30, 2013.”.

Point of
order.

Mr. Moran of Boston thereupon raised a point of order that the amendment offered by the lady from Taunton was improperly before the House for the reason that it went beyond the scope of the pending bill.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Mrs. O’Connell thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Winslow of Norfolk.

Decision
of Chair
sustained,—
yea and nay
No. 280.

After remarks on the question: “Shall the decision of the Chair stand as the judgment of the House?”, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell of Taunton; and on the roll call 121 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 280 in Supplement.]

Therefore the decision of the Chair was sustained.

Messrs. Cantwell of Marshfield and Murphy of Weymouth then moved to amend the bill by adding the following section:

“SECTION 7. Notwithstanding any general or special law to the contrary the Massachusetts Department of Transportation shall submit a report to the House and Senate Committees on Ways and Means, the Joint Committee on Transportation, and the Joint Committee on Travel and Tourism no later than August 31, 2012 that said report shall include, but not be limited to, an estimated cost for restoring weekend service of said Old Colony Rail service and the cost of a new marketing plan for said service.”.

The amendment was adopted.

Mr. Cantwell of Marshfield then moved to amend the bill in section 3, in line 67, by inserting after the word “authority” the words “further provided that the Massachusetts Bay Transportation Authority be required to restore weekend service for the old colony regional rail lines.”; and the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 8. Chapter 161A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following new section:

Section 49. Notwithstanding any general or special law to the contrary, the department or the authority shall not undertake any system

expansion, defined as encompassing the development, conceptual planning, design and construction of any effort to expand the scope of MBTA services, until the department or the authority conducts a cost analysis reflecting the expected fare recovery ratio for that project, and certifies that the project will exceed the fare recovery ratio for that particular mode of transportation system wide. This cost analysis shall include any and all costs associated with the project including debt service, construction costs, future maintenance and associated costs. The auditor of the commonwealth shall request that the administrator of the appropriate division of the Massachusetts Department of Transportation prepare the fiscal analysis, including life cycle costs, demonstrating that sufficient revenues exist or will be generated to operate and maintain in good repair the expansion. This analysis shall also be submitted to the joint legislative committee on revenue.

Nothing in this section shall be construed to prevent any system enhancement, defined as encompassing capital projects that improve existing service and foster increased ridership.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 33 members voted in the affirmative and 121 in the negative.

Amendment
rejected,—
yea and nay
No. 281.

[See Yea and Nay No. 281 in Supplement.]

Therefore the amendment was rejected.

Mr. Barrows of Mansfield then moved to amend the bill by adding the following two section:—

“SECTION 8. Notwithstanding any general or special law to the contrary, no pass purchased for a single ride or as part of a multi-ride pass for use on the commuter rail will expire less than 90 days from the date of purchase.

SECTION 9. Section 8 shall take effect on July 1, 2012.”

After debate on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 282.

[See Yea and Nay No. 282 in Supplement.]

Therefore the amendment was adopted.

Mr. Straus of Mattapoisett then moved to amend the bill in section 5, in line 89, by inserting after the word “time” the words “and procedures”, in line 100, by inserting after the words “requirements of” the words “Massport and”; and in section 6, in line 114, by striking out the words “the seaport district” and inserting in place thereof the words “Boston Harbor”. The amendments were adopted.

Messrs. Dempsey of Haverhill and Rushing of Boston then moved to amend the bill in section 1, in lines 27 to 35, inclusive, by striking out the text contained in those lines and inserting in place thereof the following paragraph:

“(c) A person who is issued a noncriminal citation shall be assessed a fine as follows: \$25 for a first offense; \$100 for a second offense; or \$250 for a third or subsequent offense. If the person fails to pay the fine within 90 days of the date of the issuance of a noncriminal citation under this section, or the violator fails to request a hearing within 90 days of the date of the issuance of a noncriminal citation under this

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section, the authority shall provide notice of nonpayment of a fine indicating that the person's license or right to operate a motor vehicle will be suspended until the fine is paid. The authority shall provide reasonable opportunity for a hearing and may waive or reduce a fine imposed under this section within its discretion. If the fine is not waived under this section, the violator shall have 90 days from the date of the hearing to pay the fine.”; in lines 51 and 52, by striking out the words “and an application for a criminal complaint will be made in accordance with paragraph one of this section”; and by adding the following section:

“SECTION 10. The comptroller shall deposit funds received through federal reimbursement due to actions authorized in section 4 of this act to the Massachusetts Transportation Trust Fund, provided that said deposits shall not exceed \$5,000,000.”.

The amendments were adopted.

Mr. Sciortino of Medford then moved to amend the bill by adding the following section:

“SECTION 11. There shall be study at the direction of the Secretary of Transportation of all issues relating to the need for additional revenue for transportation operations, maintenance and capital funding for transportation in the Commonwealth including roads and bridges, public transportation and bicycle and pedestrian facilities. Said study shall be filed with the Clerk of the House of Representatives and the Clerk of the Senate on or before December 1, 2012.”.

The amendment was adopted.

After debate, Mr. Hecht of Watertown moved to amend the bill by adding the following section:

“SECTION 12. There shall be a study of the impact of the MBTA fare increases effective July 1, 2012 on seniors, persons with disabilities, and students. The study shall include, but not be limited to, the impact of the fare increases on their finances, health, employment, education, and quality of life the RIDE Program. The study shall also examine and propose possible ways of mitigating these impacts. The study shall be conducted jointly by the Executive Office of Elder Affairs, the Office of Disability, and the Department of Elementary and Secondary Education. The MBTA shall cooperate and provide all information necessary to prepare the report. The report, together with any recommendations for legislative or administrative action, shall be submitted by January 1, 2013 to the joint committee on transportation, the Senate and House committees on Ways and Means and the MBTA.”.

After remarks the amendment was adopted.

After debate on the question of passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 130 members voted in the affirmative and 25 in the negative.

[See Yeas and Nays No. 283 in Supplement.]

Therefore the bill (House, No. 4174, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 283.

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.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at sixteen minutes after five o'clock P.M., (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.

Thursday, June 14, 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.

Resignation of Representative Vallee of Franklin.

The following communication was read; and spread upon the records of the House, as follows:

June 12, 2012.

The Honorable Steven T. James
Clerk of the House of Representatives
The Massachusetts State House
Room 145
Boston, MA 02133

Dear Mr. James:

Resignation of
Representative
James E.
Vallee of
Franklin.

I respectfully submit to you my resignation as the Representative from the 10th Norfolk District effective 5:00 P.M. June 15, 2012.

Respectfully,

JAMES E. VALLEE,
State Representative,
10th Norfolk District.

Resolutions.

James M.
Hurley.

Resolutions (filed with the Clerk by Messrs. Cusack of Braintree and Ayers of Quincy) honoring the memory of James M. Hurley on the dedication of the James M. Hurley Veterans and Senior Center in the town of Randolph, 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. 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.

Order.

The following order (filed by Mr. Walsh of Lynn) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Health Care
Financing,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Friday, June 15, 2012, within which to make its final report on current Senate docu-

ments numbered 30, 32, 33, 44, 54, 57, 69, 70, 71, 269, 273, 281, 289, 292, 343, 382, 419, 480, 481, 482, 484, 488, 489, 491, 494, 495, 496, 497, 498, 499, 500, 501, 504, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 524, 526, 536, 537, 539, 545, 546, 547, 549, 550, 551, 553, 554, 556, 557, 558, 559, 733, 978, 979, 982, 988, 989, 990, 1079, 1094, 1101, 1107, 1118, 1121, 1123, 1164, 1235, 1893, 1999, 2006, 2057, 2156, 2164, 2167, 2177, 2181, 2182 and 2210 and current House documents numbered 45, 46, 47, 49, 51, 63, 64, 65, 74, 75, 76, 81, 182, 187, 273, 279, 295, 306, 332, 333, 334, 335, 336, 337, 338, 340, 342, 343, 344, 346, 550, 554, 598, 606, 623, 677, 680, 704, 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, 1489, 1492, 1494, 1496, 1500, 1513, 1514, 1519, 1521, 1523, 1530, 1543, 1856, 2039, 2057, 2079, 2087, 2088, 2089, 2090, 2091, 2092, 2094, 2095, 2096, 2097, 2099, 2101, 2306, 2316, 2333, 2343, 2362, 2373, 2375, 2452, 2682, 2683, 2727, 2765, 2777, 2778, 2779, 2780, 2782, 2783, 2876, 2880, 2900, 3104, 3105, 3106, 3134, 3296, 3480, 3543, 3627, 3641, 3696, 3904, 3984, 3995, 4034 and 4097.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Walsh of Lynn, the order was considered forthwith. Pending the question on adoption of the order, Mr. Walsh moved to amend it by striking out the date "June 15" and inserting in place thereof the date "June 29"; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Reports of Committees.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, asking to be discharged from further consideration

Of the Bill to provide access to hearing aids for children (House, No. 52, changed); and

Children,—
hearing aids.

Of the joint petition (accompanied by bill, House, No. 4034) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to health care services;

Health care
services.

And recommending that the same be referred to the committee on Ways and Means.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence insomuch as relates to the discharge of the committee.

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

The Senate Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino bridges (Senate, No. 2218); and House bills

Bourne,—
Pucino
bridges.

Designating a certain section of state highway Route 2 in the city of Cambridge and town of Arlington as the James M. Gavin Memorial Highway (House, No. 913);

Gavin
highway.

- Freetown. To designate a certain traffic circle in the town of Freetown (House, No. 1784);
- Carver,— Designating a certain bridge in the town of Carver as the Julian
bridges. Southworth and Nelson J. Garnett Memorial Bridge (House, No. 2640);
- Simonelli, etc. Designating a portion of Interstate 290 as the Michael Simonelli and
overpass. Michael Gabriele Overpass (House, No. 3212);
- Marine League Designating that portion of Route 9 from the city of Northampton
highway. to the city of Pittsfield as the Marine Corps League highway (House,
No. 3637);
- Newburyport,— Exempting the positions of plumbing inspector and gas fitting
civil service. inspector in the city of Newburyport from the civil service law and
section 11 of chapter 142 of the General Laws (House, No. 3848)
[Local Approval Received];
- Hopedale,— Authorizing the town of Hopedale to allow direct deposit of receipts
direct deposits. into certain funds (House, No. 3937 [Local Approval Received];
- New Bedford,— Relative to the designation of a portion of Route 6 in New Bedford
Hebert highway. in honor of Roland J. Hebert (House, No. 3970, changed);
- Haverhill,— Authorizing the appointment of William M. Cowl, Jr. as a fire-
William Cowl. fighter in the city of Haverhill notwithstanding the maximum age
requirement (House, No. 3990) [Local Approval Received];
- Xiarhos Designating a certain overpass in the town of Yarmouth as the
overpass. Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass
(House, No. 4156); and
- Chereel Establishing a sick leave bank for Chereel Stafilopatis, an employee
Stafilopatis,— of the Executive Office of Health and Human Services (House, No. 4166);
sick leave bank. 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.
- Educational By Ms. Malia of Boston, for the committee on Mental Health and
psychologists. Substance Abuse, on a petition, a Bill to improve access to the services
of educational psychologists (House, No. 3992, changed in section 1,
in lines 7 and 8, in section 2, in lines 15 and 16, in section 3, in lines
23 and 24, in section 4, in lines 31 and 32 and in section 5, in lines 39
and 40, by striking out, in each instance, the words “within the lawful
scope of practice or such educational psychologist”, in section 6, in
line 42, by striking the year “2006” and inserting in place thereof the
year “2010”, and, in line 44, by striking the year “2006” and inserting
in place thereof in the year “2012”). Referred, under Rule 1E, to the
committee on Health Care Financing.
- HIV/AIDS,— By Mr. Walsh of Lynn, for the committee on Health Care Financ-
study. ing, that the recommitted Bill relative to the establishment of a com-
mission to modernize HIV/AIDS prevention and treatment (House,
No. 3865), ought to pass. Read; and referred, under Rule 29, to the
committees on Rules of the two branches, acting concurrently.
- By Mr. Walsh of Lynn, for the committee on Health Care Financ-
ing, that the following bills ought to pass:
- Nursing home,— Relative to the calculation of income for spouses of nursing home
costs. residents (House, No. 1966) [Cost: Greater than \$100,000.00]; and

Requiring the sterilization of musical instruments in schools (House, No. 3893) [Cost: Greater than \$100,000.00]. Instruments,—
sterilization.

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

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on House, No. 1867, a Bill to allow certain store and shops to open on holidays (House, No. 4173). Stores,—
holidays.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 1808, a Bill relative to speed limits (House, No. 4165). Speed
limits.

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on the Bill relative to improving health care quality and cost in the medical device industry (House, No. 1507) and the petition (accompanied by bill, House, No. 2080) of Garrett J. Bradley and Bruce E. Tarr relative to the provision of or payment for meals for health care practitioners, that the bill (House, No. 1507), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Medical
devices.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the following bills ought to pass:

Relative to the prevention of falls in the elderly community (House, No. 180); and Elderly,—
falls.

For consumer protection and regulation in psychotherapy (House, No. 4123); Psychotherapy.

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

By Mr. Binienda of Worcester, for the committee on Rules, that the Bill establishing a Mystic River water quality commission (House, No. 1156), ought to pass. Referred, under Rule 33, to the committee on Ways and Means. Mystic
River.

Engrossed Bills.

Engrossed bills

Establishing a sick leave bank for Dacia Thompson, an employee of the Department of Children and Families (see House, No. 4029); and Bills
enacted.

Establishing a sick leave bank for Mark Lewis, an employee of the Department of Developmental Services (see House, No. 4065);
(Which severally originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the Essex Regional Retirement System (see Senate, No. 2230) (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. Bill
enacted.

Recesses.

Recesses.

At twenty-two minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mrs. Poirier of North Attleborough, until half past twelve o'clock; and at eighteen minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Health care,—
quality and
costs.

The Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House, No. 4155).

Committee of
conference.

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators Richard T. Moore, Petrucelli and Tarr had been appointed the committee on the part of the Senate.

Id.

On motion of Mr. Walsh of Lynn, the House insisted on its amendment, concurred in the appointment of a committee of conference; and Representatives Walsh of Lynn, Mariano of Quincy and Barrows of Mansfield were joined as the committee on the part of the House. Sent to the Senate to be noted.

Supplemental
appropriations.

The House Bill making appropriations for the fiscal year 2011 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4144), came from the Senate passed to be engrossed, in concurrence, with amendments

In section 2, after item 8700-1150, inserting the following item:

“8800-0085	For services and costs associated with the repair of	
	Mill Pond Dam in Rockport	\$300,000”;

Inserting after section 8 the following section:

“SECTION 8A. Section 58 of chapter 31 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘examination., in line 24, the following words:— ; provided, however, that an applicant who was not 21 years of age on or before the date of an original examination but has since reached the age of 21 while serving on active military duty shall be eligible for any subsequent make-up examination that is offered.”;

In section 19 (as published), in line 328, by striking out the word “and” and inserting in place the following word: “or”;

In section 28 (as published), in line 406, inserting after the word “section” the words “; provided, however, that before a waiver is sought or a transitional reinsurance program is to be implemented, the commissioner shall provide a report on the decision and the details of any proposed program to the clerks of the senate and house of representatives and the senate and house committee on ways and means”;

In section 35 (as published), in line 460, in section 36 (as published), in line 463; in section 40 (as published), in line 480, in section 41 (as published), in line 486, and in section 44 (as published), in line 506, by striking out, in each instance, the words “or dental”;

In section 39 (as published), in line 476, inserting after the figures “18063” the following: “; provided, however, that not later than 30 days before a risk adjustment program is established, the board shall provide a report of the program to the clerks of the senate and house of representatives, the senate and house committee on ways and means and the joint committee on health care financing”;

Inserting after section 41 (as published) the following section:

“SECTION 41A. Said section 5 of said chapter 176Q, as so appearing, is hereby further amended by striking out, in line 11, the word ‘Plans. and inserting in place thereof the following words:— Health plans.”;

In section 42 (as published), in line 490, and in section 44 (as published), in line 504, inserting after the word “or”, in each instance, the words “stand alone”;

Inserting after said section 44 the following 4 sections:

“SECTION 44A. Section 277 of chapter 60 of the acts of 1994 is hereby amended by striking out, in lines 2, 3, 7, 13, 16, 23, 25, 26, 34, 43, 48, 53, 119, 121, 126, 129, 132, 133, 135, 140, 206 and 209 the word ‘college’ and inserting in place thereof, in each instance, the word ‘university’.

SECTION 44B. Subsection (b) of said section 277 of said chapter 60 is hereby amended by inserting after the definition of ‘educational institution’ the following definition:—

‘Enterprise center’, the enterprise center at Salem state university, a small business growth center which attracts and retains small and growing businesses and offers a wide range of workshops and educational programs for entrepreneurs, owners of small and growing businesses and managers of non-profit organizations and provides office and light manufacturing space and related facilities.

SECTION 44C. Said subsection (b) of said section 277 of said chapter 60 is hereby further amended by striking out the definition of ‘site. and inserting in place thereof the following definition:—

‘Site’, the 37.5 acre site, within the city of Salem, which was formerly the site of the GTE/Sylvania plant, located proximately between the north and south campuses of Salem state university and such other properties, including land and buildings thereon, that are determined by the corporation to be important in allowing the corporation to fulfill its purposes under paragraph (5) of subsection (c).

SECTION 44D. Subsection (c) of said section 277 of said chapter 60 is hereby amended by striking out paragraph (5) and inserting in its place the following paragraph:—

(5) The purposes of the corporation shall be to (i) promote the orderly growth and development of the university; (ii) to assist the university in securing physical and financial resources necessary for the acquisition and development of the site; and (iii) to manage and operate the enterprise center.”;

In section 45 (as published), in line 515, inserting after the word “center” the following: “; and provided further, that the courthouse

Supplemental
appropriations.

master plan shall be completed not later than May 1, 2013”, and inserting after said section the following section:

“SECTION 45A. Item 2840-7014 of section 2A of chapter 312 of the acts of 2008 is hereby amended by striking out, in line 85, the words ‘in Jamaica Plain. and inserting in place thereof the following:— and recreation center in the Jackson Square section of Roxbury and Jamaica Plain and such funds shall be provided to the developer designated by the city of Boston through the selection process initiated in July 2004 and following approval of the project through the city of Boston’s Article 80 process, which approval was granted on June 16, 2011, and documented in the approved memorandum to the Boston Redevelopment Authority dated June 16, 2011.”;

Inserting after section 46 (as published) the following section:

“SECTION 46A. Item 0900-0100 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding the following words:— ; and provided further that any funds remaining in this item on June 30, 2012 shall not revert and shall be available for expenditure by this item until June, 30 2013.”;

In section 53, in line 583, striking out the date “May 15, 2012” and inserting in place thereof the date “June 30, 2012”;

By striking out sections 63 to 69, inclusive, and by striking out section 71; and

By adding the following section:

“SECTION 72. Section 18 shall take effect on October 1, 2012.”.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

On further motion of the same member, the House then non-concurred with the Senate in its amendments in section 2, inserting item 8800-0085, and in section 45 (as published), in line 515, inserting after the word “center” the following: “; and provided further, that the courthouse master plan shall be completed not later than May 1, 2013”.

On further motion of Mr. Dempsey, the House then concurred with the Senate in the remaining amendments with the following further amendments:

By striking out section 8A (inserted by amendment by the Senate) and inserting in place thereof the following section:

“SECTION 8A. Section 58 of chapter 31 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘examination’, in line 24, the following words:— ; provided, however, than an applicant who reached 21 years of age while serving on active military duty, who was not 21 on or before the date of an original examination, shall be eligible for any subsequent make up examination that is offered”;

In section 12 (as published), in line 243, and in section 13 (as published), in line 257, by striking out the words “result of” and inserting in place thereof, in each instance, the words “as a result of a health-care associated infection; or”;

In section 12 (as published), in line 247, and in section 13 (as published), in line 261, by inserting after the word “or”, in each instance, the words “a health-care associated infection or”;

By striking out section 45A (inserted by amendment by the Senate); and

In section 54 (as published), in lines 599 to 604, inclusive, by striking out the following: “, the pension begins prior to the employee’s normal retirement date, or such higher percentage reduction that may be incorporated into the benefit percentage multipliers contained in the table entitled ‘Table Showing Percentage of the Amount of Average Annual Rate of Regular Compensation to be multiplied by the Number of Years of Credible Service for individuals who become members on or after April 2, 2012,’ under section 5 of chapter 32 of the General Laws” and inserting in place thereof the words “or the pension begins prior to the employee’s normal retirement date”.

Sent to the Senate for its action.

Orders of the Day.

House bills

Relative to the regulation of cyber cafes (House, No. 3765); and

Third reading bills.

Relative to a personal care attendant orientation program (House, No. 4081) (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.

The House Bill to prohibit the use of certain liability waivers as against public policy (House, No. 2287), was read a second time.

Public policy,—liability waivers.

Pending the question on ordering the bill to a third reading, Mr. Bradley of Hingham moved to amend it by substitution of a bill with the same title (House, No. 4176), which was read.

The amendment was adopted; and the substituted bill was ordered to a third reading.

Recesses.

At twenty-eight minutes after one o’clock, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until three o’clock; and at that time the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on further motion of Mrs. Poirier, until four o’clock; and at that time the House was called to order with Mr. Donato in the Chair.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4144, 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.

Supplemental appropriations.

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 3 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.

Order.

Next
sitting.

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.

At fourteen minutes after four o'clock P.M., 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.

Monday, June 18, 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.

Silent Prayer.

At the request of Speaker DeLeo of Winthrop, the members, guests and employees stood in a moment of silent tribute to the memory of Robert E. MacQueen of Weymouth, Clerk of the House of Representatives, from 1983 to 1998, inclusive. Robert E. MacQueen.

Resolutions.

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

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Mitchell Negus on receiving the Eagle Scout Award of the Boy Scouts of America; Mitchell Negus.

Resolutions (filed by Mr. Calter of Kingston) congratulating Ryan P. Wallace on receiving the Eagle Scout Award of the Boy Scouts of America; Ryan P. Wallace.

Resolutions (filed by Mr. Fernandes of Milford) congratulating John James Fitzgerald on earning the Eagle Scout Award of the Boy Scouts of America; John James Fitzgerald.

Resolutions (filed by Ms. Hogan of Stow) congratulating Richard Braga on his retirement as Chief of the Hudson Police Department; and Richard Braga.

Resolutions (filed by Mr. Sánchez of Boston and other members of the House) congratulating Jovita Fontanez on her retirement as a neighborhood business manager in the Office of Business Development in the city of Boston; Jovita Fontanez.

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

Communication.

A communication from the Water Infrastructure Finance Commission (under Section 145 of Chapter 27 of the Acts of 2009) relative to the current state of water infrastructure investments in Massachusetts, was placed on file. Water Infrastructure Finance Commission.

Papers from the Senate.

Blue Star
Mothers
month.

A Bill designating the month of May as Blue Star Mothers Month (Senate, No. 2265) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Arlington,—
antenna
leases.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2304) of Kenneth J. Donnelly and Sean Garballey (by vote of the town) for legislation to authorize the town of Arlington to establish a separate account for proceeds from wireless communications antenna leases. To the committee on Municipalities and Regional Government.

Wilbraham,—
special
police.

Petition (accompanied by bill, Senate, No. 2303) of Gale D. Candaras (by vote of the town) for legislation to allow the town of Wilbraham to appoint special police officers. To the committee on Public Service.

Burlington,—
veteran tax
exemptions.

Petition (accompanied by bill, Senate, No. 2302) of Kenneth J. Donnelly and Charles A. Murphy (by vote of the town) for legislation relative to the acceptance of real estate exemption provisions for certain military personnel in the town of Burlington. To the committee on Revenue.

Reports of Committees.

Transporta-
tion,—
bond.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill relative to financing improvements to the Commonwealth's transportation system (House, No. 4179) (for order, see House, No. 4180). The order was considered forthwith; and it was adopted.

By Mr. Binienda of Worcester, for the committees on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Gloria
Chisholm,—
sick leave.

Joint petition (accompanied by bill) of Peter J. Durant and Richard T. Moore for legislation to establish a sick leave bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation; and

Susan
Tremblay,—
sick leave.

Petition (accompanied by bill) of Dennis A. Rosa for legislation to establish a sick leave bank for Susan Tremblay, an employee of the Department of Correction;

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Ms. Peake of Provincetown, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Plymouth
Nuclear
Plant.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the Plymouth Nuclear Power Plant (House, No. 645),— and recommending the same be referred to the committee on Telecommunications, Utilities and Energy.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the House Bill relative to financing improvements to the Commonwealth's transportation system (House, No. 4145), ought to pass with an amendment by substitution of a bill with the same title (House, No. 4179). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation,—
improvement
financing.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House, with the amendment pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Authorizing the establishment of a sewer construction fund for the town of Barnstable (Senate, No. 1065, amended);

Barnstable,—
sewer fund.

Authorizing a lease of a certain parcel of land under the control of the Department of Fish and game to the Bourne Water District for water distribution purposes (Senate, No. 2215); and

Bourne
Water
District.

Authorizing the town of Groton, acting by and through its board of selectmen and board of water commissioners, to convey a conservation restriction on certain parcels of land to the Division of Fisheries and Wildlife by its Department of Fish and Game (House, No. 3886); and

Groton,—
land.

Authorizing the town of Orange to convey a certain parcel of land (House, No. 4009, changed);

Orange,—
land.

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

Under suspension of Rule 7A, 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.

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

Concerning fair retainage payments in private construction (House, No. 1401); and

Construction
payments.

Providing certain accidental disability retirement benefits for the widow of a former police officer of the city of Boston (House, No. 3989);

Maureen
Shaw,—
benefits.

Under suspension of Rule 7A, 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.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the following bills ought to pass:

To define the use of observation services (House, No. 304) [Cost: Greater than \$100,000]; and

Observation
services

To establish community based grant programs to eliminate racial and ethnic health disparities in the Commonwealth (House, No. 1518) [Cost: Greater than \$100,000].

Health
disparities.

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the following bills ought to pass:

- Body piercing. Relative to regulating the practice of human body piercing (House, No. 584);
- Medication. Relative to medication technician (House, No. 1472);
- Cancer fund. Relative to a lung cancer research fund (House, No. 2342);
- Provider education. To reduce healthcare costs by promoting provider education through academic detailing (House, No. 3367); and
- Women's health. Relative to promoting women's health (House, No. 3542);
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Municipal records,—
preservation. By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill to establish a municipal record preservation commission (House, No. 4053). Read; and referred, under Rule 29, to the committee on Rules of the two branches, acting concurrently.

Jewelry dealers,—
regulation. By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1006 and 3348, a Bill to protect consumer rights (House, No. 3348).

MCAD,—
investigations. By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to the timeframe for MCAD investigations (House, No. 4024) [Senator Fargo dissenting].

Utility poles. By Mr. Keenan of Salem, for the committee on Telecommunication, Utilities and Energy, on Senate, Nos. 1649 and 1654 and House, Nos. 876, 884, 886, 1755, 1764, 1769, 2609, 2619, 3057, 3059 and 3380, a Bill relative to utility poles (House, No. 4177) [Representative Adams of Andover dissenting].

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

Harvard,—
water commissioners. By Mr. Michlewitz of Boston, for the committee on Election Laws, on a joint petition, a Bill relative to electing water commissioners in the town of Harvard (House, No. 3997) [Local Approval Received].

Boston,—
Art Commission. By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill amendment to the city of Boston Art Commission enabling legislation, Chapter 410 of the Acts of 1898 (House, No. 3784) [Local Approval Received] (Reported filed on May 2, 2012).

Provincetown,—
finance committee. By the same member, for the same committee, on a petition, a Bill relative to the finance committee of the town of Provincetown (House, No. 4054) [Local Approval Received] (Reported filed on May 17, 2012).

Williams Syndrome awareness day. By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating the second week of May as Williams Syndrome awareness day (House, No. 4078).

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

Disabled persons,—
services. By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to encourage responsibility, cost

effectiveness and meaningful lives for individuals with disabilities (House, No. 984), be scheduled for consideration by House.

Placed in the Orders of the Day for the next sitting for a second reading, with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4167),— pending.

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 University of Massachusetts Police Department (House, No. 659); UMass,—
police.
- Relative to the possession of weapons (House, No. 667); Weapons.
- Relative to red and blue flashing, rotating or oscillating lights (House, No. 942); Emergency
lights.
- Related to personnel records (House, No. 1397); Records.
- Massachusetts Housing Authority (House, No. 2128); MHA.
- Relative to job creation thorough employee ownership (House, No. 2305); Job creation.
- Regarding the certification and training of fire service personnel (House, No. 2389) [Local Approval Received]; Fire service
personnel.
- Relative to the use of shotguns (House, No. 2398); Shotguns.
- Relative to educational funding for charter schools (House, No. 3597, changed); Charter
schools.
- Relative to vacancies in the office of selectmen in the town of North Andover (House, No. 3832) [Local Approval Received]; North
Andover.
- Authorizing the appointment of Amy McCarthy as a police officer in the North Andover, notwithstanding the maximum age requirements (House, No. 3835) [Local Approval Received]; Id.
- Authorizing a conservation restriction in the town of Truro (House, No. 3919) [Local Approval Received]; Truro.
- Exempting the position of deputy police chief in the town of Duxbury from the civil service laws (House, No. 4026) [Local Approval Received]; and Duxbury.
- Relative to housing rights for victims of domestic violence (House, No. 4108); Violence
victims,—
housing.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

The House Bill establishing a sick leave bank for Lawrence Marino, an employee of the Massachusetts Department of Transportation (House, No. 4158), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Lawrence
Marino,—
sick leave
bank.

Pending the question on passing the bill to be engrossed, Ms. Reinstein of Revere moved to amend it by inserting before the enacting clause 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 Massachusetts department of transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4158, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Clifton
Watson,—
sick leave
bank.

The House Bill establishing a sick leave bank for Mr. Clifton Watson, an employee of the Registry of Motor Vehicles (House, No. 4159), 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, Mr. O'Day of Worcester moved to amend it by inserting before the enacting clause 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."

The amendment was adopted; and the bill (House, No. 4159, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Chereel
Staflopatis,—
sick leave
bank.

The House Bill establishing a sick leave bank for Chereel Staflopatis, an employee of the Executive Office of Health and Human Services (House, No. 4166), 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, Ms. Forry of Boston moved to amend it by adding the following sentence: "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the executive office of health and human services."

The amendment was adopted; and the bill (House, No. 4166, amended) 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 Wednesday next at twelve o'clock noon.

Next
sitting.

Speaker DeLeo of Winthrop then moved that when the House adjourns today, it do so as a mark of respect to the memory of Robert E. MacQueen of Weymouth, an employee of the Sergeant-at-Arms Department from 1956 to 1961, inclusive (serving as a House Page, and later as Chief House Page); Clerical Assistant to the Clerk of the House, 1961 to 1967, inclusive; Second Assistant Clerk of the House in 1967 and 1968; Assistant Clerk of the House from 1969 to 1982, inclusive; Clerk of the House of Representatives from 1983 to 1998, inclusive; and Clerk Emeritus and Advisor to the Clerk of the House from 1999 to 2012, inclusive; and the motion prevailed.

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

Wednesday, June 20, 2012.

Met at sixteen minutes after at twelve o'clock noon, 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.

Distinguished Guest.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Governor Dennis Dougaard of South Dakota. The Governor and his entourage were the guests of Mr. Jones of North Reading and the Speaker. Governor Dennis Dougaard.

Guests of the House.

During the session, the Chair (Mr. Donato), declared a brief recess and introduced Bob Reetz, Karen O.Toole and their children, Amanda and John. They were the guests of Mr. Timilty of Milton. Bob Reetz and family.

Resolutions.

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

Resolutions (filed by Mr. Cusack of Braintree) celebrating the fiftieth anniversary of the dedication of the Disabled Veterans of America Memorial Highway in the town of Braintree; and Braintree,— Veterans Highway.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) on the occasion of the dedication of the Dennis M. Higgins Square in the town of Natick; Natick,— Higgins Square.

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

Orders.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Monday, July 9, 2012, within which to make its final report on current Senate document numbered 304 and House document numbered 1985. Election Laws,— extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Election
Laws,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Thursday, May 31, 2012, within which to make its final report on current House document numbered 4049.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date “Thursday, May 31” and inserting in place thereof the date “Friday, June 29”; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Naughton of Clinton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Public Safety
and
Homeland
Security,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Wednesday, June 20, 2012, within which to make its final report on current House documents numbered 1554, 1566, 1567, 1568, 2391 and 3369.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Naughton, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it by striking out the date “Wednesday, June 20” and inserting in place thereof the date “Friday, June 29”; and the amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

Needham,—
alcoholic
beverages.

By Representative Garlick of Needham and Senator Rush, a joint petition (accompanied by bill, House, No. 4187) of Denise C. Garlick (by vote of the town) for legislation to authorize the town of Needham to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premise. To the committee on Consumer Protection and Professional Licensure.

Marion,—
open space
commission.

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 4188) of William M. Straus (by vote of the town) relative to the Open Space Acquisition Commission in the town of Marion. To the committee on Municipalities and Regional Government.

Agawam,—
civil
service.

By Representative Boldyga of Southwick and Senator Welch, a joint petition (accompanied by bill, House, No. 4189) of Nicholas A. Boldyga (with the approval of the mayor and city council) relative to the civil service status of building maintenance association members in the city of Agawam. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill preventing unlawful and unnecessary foreclosures (House, No. 4096, 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 2298; and inserting before the enacting clause an emergency preamble. Foreclosures.

Under suspension of the rules, on motion of Mr. Costello of Newburyport, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Costello, Basile of Boston and Peterson of Grafton were appointed the committee on the part of the House. Sent to the Senate to be joined. Conference committee.

The House Bill establishing a sick leave bank for Mary M. Stanton, an employee of the Executive Office of Health and Human Services (House, No. 3972), 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 2196; striking out the emergency preamble and inserting in place thereof the following emergency preamble: Mary M. Stanton,—sick leave bank.

“*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 department of developmental services, 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 Mary M. Stanton, an employee of the Department of Developmental Services.”

Under suspension of Rule 35, on motion of Mrs. Nyman of Hanover, 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.

A petition (accompanied by bill, Senate, No. 2307) of Richard T. Moore and Kevin J. Kuros (by vote of the town) for legislation to authorize the town of Webster to convert an existing license for the sale of wine and malt beverages to a license for the sale of all alcoholic beverages to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure. Webster,—liquor license.

Reports of Committees.

Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a recommitted petition, reported, a Bill to establish a sales tax holiday August 2012 (Senate, No. 157). Under suspension of Joint Rule 5, on motion of the same member, the report was considered. The bill then was read; and referred, under Rule 33, to the committee on Ways and Means. Sales tax holiday.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill concerning tunnel safety (House, No. 930). Tunnel safety.

Northborough,—
noise study. By the same member, for the same committee, on a petition, a Bill addressing the issue of noise pollution along Route 290 in the town of Northborough (House, No. 931).

Towed
campers. By the same member, for the same committee, on a petition, a Bill exempting towed campers from commercial license plates (House, No. 949).

Truck
inspections. By the same member, for the same committee, on a petition, a Bill relative to truck inspections (House, No. 3095).

Class 2
licenses. By the same member, for the same committee, on a petition, a Bill regarding education requirements for class 2 motor vehicle licensees (House, No. 3245).

Students,—
transportation. By the same member, for the same committee, on House, No. 2633, a Bill promote safety in the transportation of students (House, No. 4183).

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

Dedham
Westwood
water
district. By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill granting creditable service to employees of the Dedham Westwood water district (House, No. 4157) [Senator Brownsberger dissenting].

Gloria
Chisholm,—
sick leave. By the same member, for the same committee, on a joint petition, a Bill establishing a sick bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation (House, No. 4184).

Hardship
licenses,—
violations. By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to clarify penalties for violations occurring while driving with a hardship license (House, No. 1801).

Billerica,—
Greene
bridge. By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Billerica in honor of William G. Greene, Jr. (House, No. 1802).

Railroad
crossings. By the same member, for the same committee, on a petition, a Bill relative to railroad crossings (House, No. 3094).

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

Engrossed Bill.

Bill
enacted. The engrossed Bill relative to the sale of alcoholic beverages in the town of Wenham (see Senate, No. 2273, amended) (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.

Engrossed Bill — Land Taking.

Topsfield,—
land. The engrossed Bill authorizing the town of Topsfield to convey certain conservation land (see House, No. 3719, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 284. On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitu-

tion); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 284 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trial Court (Senate, No. 2272), 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. Third reading bill.

House bills

Exempting the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from civil service law and section 11 of chapter 142 of General Laws (House, No. 3848); and Third reading bills.

Relative to a town of Canton conservation restriction (House, No. 4103);

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.

House bills

Relative to the University of Massachusetts Police Department (House, No. 659); Second reading bills.

Relative to the possession of weapons (House, No. 667);

Relative to red and blue flashing, rotating or oscillating lights (House, No. 942);

[sic] Massachusetts Housing Authority (House, No. 2128);

Regarding the certification and training of fire service personnel (House, No. 2389);

Relative to the use of shotguns (House, No. 2398);

Relative to education funding for charter schools (House, No. 3597, changed);

Relative to vacancies in the office of selectmen in the town of town of North Andover (House, No. 3832);

Authorizing the appointment of Amy McCarthy as a police officer in the North Andover, notwithstanding the maximum age requirements (House, No. 3835);

Amending a conservation restriction in the town of Truro (House, No. 3919); and

Exempting the position of deputy police chief in the town of Duxbury from the civil service laws (House, No. 4026);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to financing improvements to the Commonwealth's transportation system (House, No. 4179), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Transportation,—bond.

Pending the question on passing the bill to be engrossed, Mr. Diehl of Whitman moved to amend it by adding the following section:

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bond.

“SECTION 19. The MBTA train station at Whitman on the Kingston/Plymouth Line is hereby renamed the ‘Edward “Ned” P. Kirby Train Station, Whitman’. There shall be a one-time disbursement of funds to be used for the creation of the signs at the station itself, which will continue to be abbreviated as the ‘Whitman’, station on all DOT materials.”

The amendment was adopted.

Mr. Hunt of Sandwich then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$250,000 shall be expended for overpass restoration and improvements on Route 149 where it crosses over Route 6 in the town of Barnstable”. The amendment was adopted.

Mr. Petrolati of Ludlow then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$1,035,000 shall be expended for the design and reconstruction of the intersection of Sewall, Center, State and East Streets in the Town of Ludlow”; and the amendment was adopted.

Mr. Finn of West Springfield then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$500,000 shall be expended for safety improvements and signalization at Elm street at Westfield street in the city of West Springfield”. The amendment was adopted.

Mrs. Ferguson of Holden then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that not less than \$300,000 be expended for design and construction of Rt. 140 between Mile Hill Road and Gatehouse Road in Westminster”; and the amendment was adopted.

Mrs. Canavan of Brockton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, that \$250,000 shall be expended for the construction of sidewalks in the South street bridge area and along the section of Manley street from West Center street to West street, all in the town of West Bridgewater”. The amendment was adopted.

Mr. DiNatale of Fitchburg and other members of the House then moved to amend the bill in section 2, in item 6121-1216, by adding the following: “; provided further that not less than \$450,000 shall be expended for the remaining design plan for the Summer St. Improvement Project located in the cities of Fitchburg, Leominster and Lunenburg”; and the amendment was adopted.

Mr. Curran of Springfield and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that no less than \$250,000 shall be expended for private ways, curbing, and sidewalk improvements for the city of Springfield”. The amendment was adopted.

Mr. Markey of Dartmouth then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$500,000.00 shall be expended for the design and construction of the Padanaram Bridge Rehabilitation Project in Dartmouth”; and the amendment was adopted.

Mr. Straus of Mattapoisett then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further the the Alden Road from the Bridge Street Intersection to Main

Street (to the Acushnet Town Line) be reconstructed with upgrades of ADA accessibility ramps/sidewalks". The amendment was adopted.

Mr. Winslow of Norfolk then moved to amend the bill in section 2A, in item 6121-1217, in line 49, after the word "costs;" by striking out the word "and", and by adding at the end of said item the following: "; and provided further, that not less than \$3,000,000 shall be expended for the construction of a bridge over the MBTA railroad right of way on Main Street at the intersection of Boardman Street in Norfolk on the condition that the town of Norfolk agrees to pay to the general fund of the Commonwealth the sum of \$2,000,000, in equal payments each year for 20 years commencing in fiscal year 2018, to reimburse the cost of the bridge construction"; and the amendments were adopted.

Mr. Scibak of South Hadley then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further that not less than \$300,000 shall be expended for the design and reconstruction of the intersection at Pomeroy Meadow Road, Loudville Road, Glendale Street and West Street in the City of Easthampton". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$400,000 shall be expended for the design, reconstruction and improvement of Route 47, Bay Road, Knightly Road, Bristol Lane, North Maple Street and Rocky Hill Road in the Town of Hadley"; and the amendment was adopted.

Mr. Scibak then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$600,000 shall be expended for the design and reconstruction and improvement of the Maple Street intersection and the Falls area in the Town of South Hadley". The amendment was adopted.

Mr. Aguiar of Fall River and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$750,000 shall be expended for the planning, design and construction of the lower, double barrel culverts of the Quequechan River under the MBTA railroad right of way at Battleship Cove in the City of Fall River".

The amendment was adopted.

Mrs. Campbell of Methuen then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$350,000 shall be expended for improved traffic signalization at the entrance to Caritas Holy Family Hospital on East Street in the City of Methuen"; and the amendment was adopted.

Mr. Atsalis of Barnstable then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not more than \$1,900,000 shall be expended for the repair and reconstruction of the Oyster Harbor Bridge that carries Bridge Street over the channel connecting West Bay and North Bay in the Village of Osterville in the Town of Barnstable". The amendment was adopted.

Ms. Balsler of Newton then moved to amend the bill in section 2D, in item 6622-1280, in line 94, by inserting after the word "commonwealth" the following: "; provided further that not less than \$50,000

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bond.

shall be expended for the City of Newton's conversion of the abandoned, MBTA-controlled rail line parallel to Needham Street in Newton to a linear park, with potential future conversion to a green-line extension"; and the amendment was adopted.

Mr. Barrows of Mansfield then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$200,000 shall be expended for a project to increase access to the Mansfield Train Station commuter parking lots in the town of Mansfield". The amendment was adopted.

Mr. Cantwell of Marshfield then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$100,000 shall be expended for the purpose of completion of construction of the Sea street bridge between Marshfield and Scituate"; and the amendment was adopted.

Messrs. Brodeur of Melrose and Wong of Saugus then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$200,000 shall be expended for the design and reconstruction of the Vernon Street Roadway Improvements in Wakefield". The amendment was adopted.

Mr. Brodeur then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$300,000 shall be expended for the Highlands Infrastructure Improvements in Melrose"; and the amendment was adopted.

Mr. DeLeo of Winthrop then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$4,575,000 shall be expended for the Winthrop street corridor project in the town of Winthrop". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$475,000 shall be expended for the Walk Winthrop initiative in the town of Winthrop"; and the amendment was adopted.

Mr. D'Emilia of Bridgewater then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided, further, that not less than \$150,000 shall be expended for design, planning, and improvements of High street in the town of Bridgewater". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$150,000 shall be expended for the rehabilitation of the South street east bridge in the town of Raynham"; and the amendment was adopted.

Mr. Jones of North Reading move that the bill be amended in section 2, in item 6121-1215, in lines 13, 14 and 15, by striking out the words "that amounts expended for department employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects" and inserting in place thereof the words "that no funds in this item shall be expended for the payment of the salary of any department employee", in line 29, by striking out the words "that amounts expended for department employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects" and inserting in place thereof the words "that no funds in this

item shall be expended for the payment of the salary of any department employee”, in line 49, after the word “costs”, by inserting the words “; provided further, that no funds in this item shall be expended for the payment of the salary of any department employee”; and by adding the following section:

“SECTION 20. Notwithstanding any general or special law to the contrary, no funds originating from the bonds established in this act shall be used for the payment of salaries or salary-related expenses of any employee of the department of transportation.”.

The amendments were rejected.

Mr. Jones of North Reading move that the bill be amended striking out section 7 and inserting in place thereof the following seven sections:

“SECTION 7. (a) There shall be an MBTA finance control board, hereinafter referred to as the board, which shall consist of 5 members: 3 designees of the secretary of administration and finance all of who reside outside the MBTA service area, the chair of the MBTA Board of Directors, and the secretary of transportation. The board shall act by a majority vote of all its members. The secretary for administration and finance, in this act called the secretary, may fix stipends to be paid to members of the board other than the chair of the MBTA Board of Directors and secretary of transportation. The board shall initiate and assure the implementation of appropriate measures to secure the financial stability of the MBTA, and shall continue in existence until June 30, 2015, and thereafter for such period as the members may vote to continue its existence, provided however that the secretary of administration and finance may at any time abolish the board. The board shall be a state agency for the purpose of chapter 268A of the General Laws.

(b) Action by the board under the authority of this act shall in all respects constitute action by the MBTA for all purposes under the General Laws and under any special law.

(c) Until the board ceases to exist, no appropriation, borrowing authorization, transfer, or other spending authority shall take effect until approved by the board. The board shall approve all appropriations, borrowing authorizations, transfers, or any other spending authorizations, in whole or part.

(d) In addition to the authority and powers conferred elsewhere in this act, and notwithstanding any MBTA provision, or local ordinance to the contrary, the board shall have the following powers:

(1) to amend the annual or supplemental budgets of the MBTA including the establishment, increase or decrease of any appropriations and spending authority for all aspects of the MBTA;

(2) to implement and maintain uniform budget guidelines and procedures for all departments;

(3) to amend, formulate and execute capital budgets, including to amend any borrowing authorization, or finance or refinance any debt in accordance with law;

(4) to amortize operational deficits in an amount and for such term as the secretary approves on an annual basis;

(5) to develop and maintain a uniform system for all financial planning and operations in all departments, offices, boards, commissions, committees, agencies or other units of the MBTA;

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—
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(6) to review and approve or disapprove all proposed contracts for goods or services;

(7) notwithstanding any general or special law to the contrary, to establish, increase, or decrease any fee, rate, or charge, for any service, license, permit or other activity, otherwise within the authority of the MBTA;

(8) notwithstanding any MBTA ordinance to the contrary, to appoint, remove, supervise and control all MBTA employees and have control over all personnel matters; the board shall hold all existing powers to hire and fire and set the terms and conditions of employment held by other employees or officers of the MBTA, whether or not elected; the board shall have the authority to exercise all powers otherwise available to the MBTA Board of Directors regarding contractual obligations during a fiscal emergency; and no MBTA employee or officer shall hire, fire, transfer or alter the compensation or benefits of any employee except with the written approval of the board. The board may delegate or otherwise assign these powers with the approval of the secretary;

(9) to alter the compensation of officials of the MBTA to reflect the fiscal emergency and changes in the responsibilities of the officials as provided by this act;

(10) to employ, retain, and supervise such managerial, professional and clerical staff as are necessary to carry out its responsibilities, with the approval of the secretary. The board, with the approval of the secretary, shall have authority to set the compensation, terms, and conditions of employment of its own staff. The compensation of personnel hired pursuant to this subsection shall be determined and fixed by the board. Staff hired under this subsection shall be deemed employees of the commonwealth, except such employees as the board formally designates independent contractors, but chapters 31 and 150E of the General Laws shall not apply to such employees.

(11) to reorganize, consolidate or abolish departments, commissions, boards, offices or functions of the MBTA, in whole or in part, and to establish such new departments, commissions, boards, offices or functions as it deems necessary, and to transfer the duties, powers, functions and appropriations of a department, commission, board or other unit to another;

(12) to appoint in consultation with the secretary persons to fill vacancies on any board, committee, department, or office acting in an advisory capacity to the board;

(13) to sell, lease, or otherwise transfer real property and other assets of the MBTA with the approval of the secretary;

(14) to purchase, lease, or otherwise acquire property or other assets on behalf of the MBTA with the approval of the secretary;

(15) to promulgate rules and regulations governing the operation and administration of the MBTA;

(16) to alter or rescind any action or decision of any, employee, board or commission within 14 days after receipt of notice of such action or decision;

(17) to suspend in consultation with the secretary such rules and regulations of the MBTA and to promulgate rules and regulations necessary to carry out this act;

(18) to exercise all powers under the General Laws and this or any other special act, any provision or ordinance that any official of the MBTA may exercise, acting separately or jointly. With respect to any such exercise of powers by the board, the officials of the MBTA shall not rescind or take any action contrary to such action by the board so long as the board continues to exist; and

(19) to develop a long range plan for MBTA financial and structural sustainability, included but not limited to an analysis of debt and contemplated expansion, specifically identifying expansion which is strictly necessary as a result of a legally binding agreements and other proposals that may not be financially viable.

SECTION 7A. Within 30 days after the appointment of the board, but no later than September 1, 2012, the board shall make a preliminary report to the secretary of administration and finance and to the chairpersons of the house and senate committees on ways and means. The report shall present a preliminary analysis of the fiscal crisis of the MBTA and the board's preliminary finance and management plans to address the MBTA's operating and structural deficits.

SECTION 7B. Within 30 days after the appointment of the board, but no later than September 1, 2012, the board shall establish a liaison to the Office of the Attorney General. Such liaison shall be responsible for, but not limited to, providing the Attorney General with any concern that, in the opinion of the board, warrants further investigation.

SECTION 7C. (a) If the board concludes that its powers are insufficient to restore fiscal stability to the MBTA, it shall so notify the secretary for administration and finance, and shall forward to him a statement of the reasons why it has been unable to restore fiscal stability to the MBTA. Upon receipt of such statement, the secretary for administration and finance may terminate the existence of the board and may appoint a receiver for the MBTA for a period as he may determine. The secretary may at any time and without cause remove the receiver and appoint a successor, or terminate the receivership. The secretary shall determine the salary of the receiver, which salary shall be payable by the MBTA.

(b) The receiver shall have the following powers:—

(1) all powers of the finance control board. Such powers shall continue in the receiver and shall remain through the period of any receivership;

(2) the power to exercise any function or power of any officer or employee, whether elected or otherwise, specifically including the following powers:

(A) to order the reduction of service within the MBTA;

(B) to regulate the construction of buildings;

(3) the power to file a petition in the name of the MBTA under Chapter 9 of Title 11 of the United States Code, and to act on the MBTA's behalf in any such proceeding.

(c) Upon the appointment of a receiver, the Board of Directors shall be abolished, and the receiver shall exercise all the powers of the Board of Directors under the General Laws, special laws, the MBTA charter and ordinances.

SECTION 7D. (a) The board shall submit a report to the house and senate committees on ways and means not later than 5 days before the

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award of any no-bid contract to any private person or entity. This report shall disclose: (1) the terms of the anticipated contract, including but not limited to all monetary compensation; (2) the identity of the contractor and any subcontractor or affiliate of such contractor that would benefit under the contract; (3) a specific finding by the board that not using a competitive bidding process under the circumstances is necessary to ensure the provision of essential services to the MBTA; and (4) a certification by the board that it engaged in arms-length negotiations with the contractor and that the terms of the contract represent the best possible arrangement for the MBTA under the circumstances.

(b) The finance control board shall submit a report to the house and senate committees on ways and means not later than 5 days before the award of any contract if, at any time within 3 years before the effective date of this act, any member of the finance control board or any employee or officer of the executive office of administration and finance served as an employee, member or general or limited partner of the contractor, its owners or affiliates. The report shall also disclose whether, at any time within 3 years before the effective date of this act, any member of the finance control board or any employee or officer of the executive office of administration and finance was required to file a statement pursuant to the Securities Exchange Act of 1934 as beneficial owner of more than 10 per cent of a class of the contractor's equity securities. This report shall disclose the terms of the anticipated contract, including but not limited to all monetary compensation, and the identity of the contractor and any subcontractor or affiliate of such contractor that would benefit under the contract.

SECTION 7E. This act shall be effective notwithstanding any enabling statute provision or ordinance to the contrary.

SECTION 7F. Chapter 161A of the General Laws is hereby amended by striking out section 7, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:—

Section 7. The authority shall be governed and its corporate powers exercised by the board of directors of the MBTA finance control board. At such time as the MBTA finance control board dissolves, the authority shall be governed and its corporate powers exercised by the board of directors of the Massachusetts Department of Transportation established pursuant to chapter 6C.”.

The amendments were rejected.

Mr. DiNatale of Fitchburg then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$250,000 shall be expended for design of comprehensive improvements to the John Fitch highway in the city of Fitchburg, per study by the Urban Land Institute and ongoing Master Plan”. The amendment was adopted.

Mr. deMacedo of Plymouth then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; and provided further, that not less than \$5,100,000 shall be expended for the purposes of reconstruction of roads, sidewalks, drainage, and paving in the town of Plymouth”; and the amendments were adopted.

Mr. Cusack of Braintree then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$250,000 shall be expended for the erection of a

vehicular traffic-control signal on Route 37 in the town of Braintree". The amendment was adopted.

Ms. Hogan of Stow then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$100,000 shall be expended for the study, design, planning and construction of intersection improvements at the intersection of route 27 and Concord street in the town of Maynard". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided , that not less than \$345,000 shall be expended for the design of the Cox Street bridge replacement over the Assabet River in the town of Hudson"; and the amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$150,000 shall be expended for traffic flow improvements on Washington Street in the town of Braintree". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$100,000 shall be expended for improvements to the Disabled American Veterans Memorial Highway in the town of Braintree"; and the amendment was adopted.

Mr. Cabral of New Bedford then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$3,000,000 shall be expended to improve the John F. Kennedy memorial highway south of Elm Street in New Bedford and intersecting streets, which shall include improvements to car and pedestrian access across the highway to the waterfront". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$2,500,000 shall be expended to improve access to the south terminal in New Bedford"; and the amendment was adopted.

Ms. Dykema of Holliston then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further that \$150,000 shall be expended for planning, design and construction related to the Hopping Brook cross culvert beneath Route 16 in the Town of Holliston". The amendment was adopted.

The same member and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further that not less than \$100,000 shall be expended for planning, design and construction to provide limited public access from Massachusetts Turnpike service plaza road in Hopkinton to the Massachusetts Turnpike via the Westborough Service Plaza"; and the amendment was adopted.

Representatives Conroy of Wayland and Peisch of Wellesley then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: "; provided further, that not less than \$1,000,000 shall be expended for improvements to the Massachusetts Central Rail Trail along the corridor extending through the Towns of Wayland and Weston". The amendment was adopted.

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Mr. Nangle of Lowell then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that not less than \$200,000 shall be expended for sidewalk repairs along Route 3A Northbound in East Chelmsford, near the Lowell line, including installation of a raised curb and sidewalk repaving”; and the amendment was adopted.

Mr. Sullivan of Fall River and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that no less than \$5,000 shall be expended for the Department of Transportation to erect three signs providing directions to the Iwo Jima World War II Memorial located at Bicentennial Park in Fall River”. The amendment was adopted.

Mr. Sullivan then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that no less than \$300,000 shall be expended for the Town of Berkley for permitting, engineering, total replacement; and for the prevention of future deterioration and total collapse due to chronic flooding of the Bayview road and culvert at Bayview Road and Shore Road, in the Town of Berkley”; and the amendment was adopted.

Mr. Murphy of Lowell then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “\$800,000 for Design, Construction, Right-of-Way Assembly, and related project costs for transportation improvements to support the Tanner Street Redevelopment Plan in the City of Lowell”. The amendment was adopted.

Mr. Frost of Auburn then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$600,000 shall be expended for replacement of culverts and the repair of Sword Street in Town of Auburn”; and the amendment was adopted.

Mr. Lewis of Winchester then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$500,000 shall be expended for the upgrade of traffic signals at the intersection of route 28/Main street and North street in the town of Stoneham”. The amendment was adopted.

Messrs. Fallon of Malden and Donato of Medford then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,750,000 shall be expended for the design and reconstruction of route 99 in the city of Malden”; and the amendment was adopted.

Mr. Lewis of Winchester then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$150,000 shall be expended for the upgrade of traffic signals at the intersection of Main street, Skillings road and Lake street in the town of Winchester”. The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$100,000 shall be expended for the upgrade of traffic signals at the intersection of Marble street and Park street, in the town of Stoneham”; and the amendment was adopted.

Mr. Fernandes of Milford then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$100,000 shall be expended for the planning and installation

of a traffic signal at the intersection of state highway route 16 and Hartford Avenue in the town of Mendon". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that no more than \$300,000 shall be expended to reconstruct North Avenue in Mendon and provide signalization at the intersection of North Avenue and Hastings"; and the amendment was adopted.

Mr. Fernandes then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that no more than \$100,000 shall be expended for the design, permitting, construction and right-of-way acquisition for Phase I of the Veterans Memorial Drive/Alternate Route project in Milford". The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$2,100,000 shall be expended for the planning, design, construction, and any other associated costs for transportation improvements at the intersection of Route 30 (South Avenue) and Wellesley Street in the Town of Weston"; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$2,500,000 shall be expended for the planning, design, construction, and any other associated costs for drainage improvements along Route 9 adjacent to Boulder Brook and Morses Pond in the Town of Wellesley". The amendment was adopted.

Mr. Galvin of Canton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that the Department of Transportation shall expend not more than \$250,000 on a Street Scape Project to re-work and energize Goeres Square (Rt. 28) in the town of Avon"; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that the Department of Transportation shall expend not more than \$500,000 for road improvements to the Avon Industrial Park in the town of Avon". The amendment was adopted.

Mr. Galvin then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$500,000 be expended for signalization improvements at the intersection of Ethyl Way, Erin Road, and Central Street in the Town of Stoughton, including, but not limited to, installation of a traffic light and improvements to the roadway and sidewalks"; and the amendment was adopted.

Mr. Galvin of Canton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$500,000 be expended for signalization improvements at East Spring Street, East Main Street (Route 28), and West Spring Street in Avon. These lights shall be coordinated with the lights at the intersection of Harrison Boulevard and East Main Street (Route 28) in Avon". The amendment was adopted.

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Mr. Ross of Attleboro then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$250,000 shall be expended for the reconstruction of the Tiffany Street intersection in the city of Attleboro”; and the amendment was adopted.

Mrs. Haddad of Somerset and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$ 1,000,000 shall be expended to remove the center bascules of the Brightman Street Bridge spanning the Taunton River between the Town of Somerset and the City of Fall River”. The amendment was adopted.

Mrs. Haddad and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$3,000,000 may be expended to raze the Brightman Street Bridge spanning the Taunton River between the town of Somerset and the city of Fall River”; and the amendment was adopted.

Mrs. Haddad of Somerset then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that not less than \$800,000 shall be expended for construction for a bicycle path with lighting and related streetscape amenities for the Slade’s Ferry Landing Redevelopment Project located within the town of Somerset”. The amendment was adopted.

Mr. Mariano of Quincy being in the Chair,—

Messrs. Donato of Medford and Fallon of Malden then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for the Main street improvement project in the city of Malden”; and the amendment was adopted.

Mr. Donato and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$1,000,000 shall be expended for a parking control system in the downtown area of the city of Medford”. The amendment was adopted.

The same members then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for the Medford square roadway project in the city of Medford”; and the amendment was adopted.

Messrs. Donato of Medford and Fallon of Malden then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$30,000 shall be expended for countdown pedestrian signals at various intersections in the city of Malden”. The amendment was adopted.

Messrs. Linsky of Natick and Winslow of Norfolk then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$930,000 shall be expended for design and reconstruction of the intersection of Exchange street, Curve street and Plain street in the town of Millis”; and the amendment was adopted.

Mr. Howitt of Seekonk and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$200,000 shall be expended for the reconstruction, renovation and improvement of the

tourist information center and sanitary facility at the Swansea Visitor's Center on Interstate 195 in the town of Swansea including but not limited to, new building construction, light and safety projects, installation of water lines, landscaping, fencing, and sign installation; provided further, that when the department upgrades sanitary facilities, it does so in such a way to enhance the environment by utilizing zero pollution discharge technologies including recycling greywater systems". The amendment was adopted.

Mr. Howitt then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$50,000 shall be expended for design of opticon traffic lights at the Seekonk Public Safety Complex on Route 44 and opticon traffic lights at the intersection of Route 44 and Arcade Avenue in the town of Seekonk"; and the amendment was adopted.

Mr. Garballey of Arlington then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$100,000 shall be expended for design and improvements along Gray street in the town of Arlington". The amendment was adopted.

Mr. Linsky of Natick then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$160,000 shall be expended to make safety improvements for a walk to school crossing on South Main street in the town of Natick"; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$1,000,000 shall be expended for the construction of the Pine Hill access road in the town of Sherborn". The amendment was adopted.

Representatives Mark of Peru and Farley-Bouvier of Pittsfield then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided that not less than \$500,000 shall be made available for the extension of the Ashuwillticook Rail Trail extension project from the town of Lanesborough to Crane Avenue in Pittsfield"; and the amendment was adopted.

Mr. Mark then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided that not less than \$70,000 shall be made available for a Preliminary Structure Report for the Schell Bridge in Northfield". The amendment was adopted.

Mr. Jones of North Reading then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$250,000 shall be expended for a road construction project on Central Street, from the intersections of North Street to Spruce Street, in the town of North Reading"; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$350,000 shall be expended for a road construction project on Tower Hill Road in the town of North Reading". The amendment was adopted.

Messrs. Jones and Dwyer of Woburn then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$100,000 shall be expended for a pedestrian

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actuated signal at the intersection of Salem Street and Bay State road in the town of Reading”. The amendment was adopted.

The same members then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$4,000,000 shall be expended for the full depth reconstruction of West Street from the Woburn City line to the intersection of Longwood Road and West Street, including roadway work along the various side streets within that expanse, and for the installation of new granite curbing, ADA accessible sidewalks, improvements to the drainage system, installation of new pavement markings and signs, and fully actuated traffic signals along this stretch in the town of Reading”; and the amendment was adopted.

Mr. Lombardo of Billerica then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, that \$150,000 be expended for the construction of the Yankee Doodle Bike Path from Billerica Memorial High School to the town line of the town of Bedford, all in the town of Billerica”. The amendment was adopted.

Mr. Donato being in the Chair,— Mr. Kafka of Stoughton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$2,500,000 be expended for the South Sharon Infrastructure Project at the intersection of Old Post Road at South Main Street and Interstate Highway 95”. The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$1,000,000 be expended for signalization improvements at the intersection of North Main Street and Hixson Farm Road in the Town of Sharon, including, but not limited to, installation of a traffic light and improvements to the roadway and sidewalks”; and the amendment was adopted.

Messrs. Kafka and Galvin of Canton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$100,000 shall be expended for a study of possible traffic improvements in the Town of Stoughton, focusing on Routes 138 and 27 and the intersection of said roads in the downtown area”. The amendment was adopted.

Mr. O’Flaherty of Chelsea then moved to amend the bill by adding the following section:

“SECTION 20. The Massachusetts Department of Transportation shall commission a study to determine the status of the redesign and reconfiguration projects in the Sullivan square and Rutherford avenue area in the Charlestown neighborhood of the city of Boston. Said Department shall report on the findings of said study, including remaining obstacles to completion, to the chairs of the house and senate committees on ways and means and the joint committee on transportation no later than December 31, 2012.”.

The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for infrastructure improvements to the Maurice J. Tobin Memorial bridge in the city of Chelsea and the

Charlestown section of the city of Boston, including but not limited to guardrail and lighting repairs"; and the amendment was adopted.

Mr. O'Flaherty then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: " ; provided further that \$10,000,000 shall be expended for the redesign and reconfiguration of Rutherford Avenue and Sullivan Square in the Charlestown section of the City of Boston". The amendment was adopted.

Mr. O'Flaherty of Chelsea then moved to amend the bill by adding the following section:

"SECTION 21. The Department of Transportation shall establish a telephone hotline for citizens to have the ability to report trash, graffiti and signage obstructions along the Commonwealth's roadways."

The amendment was adopted.

Mr. Kaufman of Lexington and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: " ; provided further that the department, while authorized to expend up to \$300,000, shall retain an independent, third-party, nationally recognized consultant in hazmat transportation routing risk analysis to conduct a regional hazardous materials routing analysis which: (a) addresses the safe and efficient transportation of hazardous materials through and around the greater metropolitan Boston area; (b) addresses the public safety capabilities, environmental considerations and infrastructure capacity of impacted communities; and (c) makes recommendations for improving the transportation of hazardous materials while safeguarding impacted communities"; and the amendment was adopted.

Messrs. Moran of Boston and Honan of Boston then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: " ; provided further that \$6,000,000 shall be expended for planning, design, relocation, construction and enhancement of the inbound and outbound station platforms of the Massachusetts Bay Transportation Authority Green Line B branch stations at the intersection of Wallingford road and Commonwealth avenue and the Washington street platform at the intersection of Washington street and Commonwealth avenue in the city of Boston, and planning, design, relocation, construction and enhancement of a center, side platform station of the Green Line B branch station located the intersection of Lake street and Commonwealth avenue". The amendment was adopted.

Mr. Walsh of Framingham and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: " ; provided further that not less than \$500,000 will be used for the planning, engineering, design, or construction of intersection and signalization improvements and the integration of pedestrian and bicycle safety upgrades conforming to the 'complete streets' concepts following the newly completed reconstruction of underground utilities to Route 126 in the Town of Framingham"; and the amendment was adopted.

Messrs. Kafka of Stoughton and Galvin of Canton moved to amend the bill in Section 2C, in line item 6622-1205, by adding the following: " ; provided further, that not less than \$175,000 shall be expended on a matching grant to the town of Stoughton or the Stoughton Redevelopment Authority for the purpose of purchasing and/or refurbishing the

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Stoughton Railroad Station at 45 Wyman Street in the town of Stoughton”. The amendment was adopted.

Mr. Sannicandro of Ashland and other members of the House then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: “; provided further that not less than \$1,500,000 will be used for the planning, engineering, design, or construction of a facility for the operations, maintenance and demand respond dispatch of the MetroWest Regional Transit Authority”; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$500,000 shall be expended for the planning, engineering, design, or construction of projects to mitigate the impact of the at-grade rail crossing on the delivery of emergency municipal services, including police and fire services, in the town of Ashland”. The amendment was adopted.

Mr. Naughton of Clinton then moved to amend the bill in section 2A, in item 6121-1217 by adding the following: “; provided further that no less than \$100,000 be allocated to the Town of Boylston for the purpose of economic and business development along Route 140”; and the amendment was adopted.

The same member then moved to amend the bill by adding the following section:

“SECTION 22. Section 38P of chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘location,’ in line 81, the following words:— economic impact and potential job growth in the region of the public works project.”

The amendment was adopted.

Mr. Naughton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that not less than \$200,000 shall be expended for repairs and re-pavement of the entirety of Green Street located in the Town of Boylston”; and the amendment was adopted.

Mr. Naughton of Clinton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that no less than \$500,000 be allocated for the reimbursement to municipalities for expenditures directly related to the design and planning of Transportation Improvement Projects (TIP)”. The amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, further, that \$100,000 shall be expended for the replacement of guardrails on Main Street, Maple Street and Pantry Road in the town of Hatfield”; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, further, that \$300,000 shall be expended for the replacement of the Old Mill Bridge on Prospect Court in the town of Hatfield”. The amendment was adopted.

Mr. Kocot then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, further, that \$300,000

shall be expended for the reconstruction of sidewalks along Main Street in the town of Hatfield"; and the amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by inserting at the end thereof the following: "; provided, further, that \$500,000 shall be expended for emergency repairs to the Powder Mill Brook Bridge on Main Road in the town of Montgomery". The amendment was adopted.

Messrs. Moran of Boston and Honan of Boston then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided that \$1,000,000 shall be expended for the design and construction of a pedestrian footbridge over the Massachusetts Turnpike with an entry and exit point for the north side of the footbridge on Lincoln Street between Antwerp Street and South Waverly Street in the City of Boston and an entry and exit point on the south side of the footbridge at the proposed New Brighton Landing commuter rail stop"; and the amendment was adopted.

Mr. Moran and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided that funds shall be expended for the design and construction of three pedestrian underpasses adjacent to the Boston-side of the Charles River at the River Street, Western Avenue, and Anderson bridges; provided further, that these underpasses shall be constructed by tunnel through the western wing walls of said bridges; provided further that the pathway leading to these underpasses shall not extend laterally toward the center of the Charles River further than the new underpass finished tunnel bores; provided further, that the pathway leading to these underpasses shall not extend over the watershed of the Charles River any further than the minimum distance required to achieve the required slope and grade specifications for the pathways to comply with the Americans with Disabilities Act; and provided further, that the pathway structures and tunnels shall not alter the existing arches of said River Street or Western Avenue bridges or hinder or impede any navigable waterway through the existing arches of said bridges". The amendment was adopted.

Messrs. Moran of Boston and Honan of Boston then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided that \$500,000 shall be expended for a study to design and construct a pedestrian footbridge with an entry and exit point between Brooks Street and Parsons Street in the City of Boston over the existing roadways to an entry and exit point on the Dr. Paul Dudley White Bike Path". The amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided, further, that \$200,000 shall be expended for pedestrian and vehicle safety improvements, at the intersection of Ryan and Florence Roads in the city of Northampton". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided, further, that \$50,000 shall be expended for a feasibility study for the construction of sidewalks on Glendale Road, West Farms Road and upper Ryan Road in the city of Northampton"; and the amendment was adopted.

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Mr. Kocot then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, further, that \$300,000 shall be expended for the engineering costs for the emergency repair of the East Street Bridge in the town of Southampton”. The amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, further, that \$500,000 shall be expended for the reconstruction of Fomer Road, from Route 10 to Crooked Ledge Road in the town of Southampton”; and the amendment was adopted.

Representatives Walz of Boston and Rushing of Boston then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; and provided further, that up to \$400,000 shall be expended for a planning study of current and proposed Massachusetts Turnpike entrance and exit ramps in the Back Bay and Fenway sections of Boston, which study shall include an evaluation of changes to or demolition of some or all of the Bowker Overpass”. The amendment was adopted.

Mr. Parisella of Beverly then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that no less than \$500,000 shall be expended for the design, construction, repair and improvements of the so-called Brimbal Avenue Interchange Improvement Project located at or near Exit 19 in Beverly and identified as MassHighway Project file no. 604369”; and the amendment was adopted.

Mr. Wagner of Chicopee then moved to amend the bill by adding the following section:

“SECTION 23. Chapter 85 of the Massachusetts General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting the following new section at the end thereof:—

Section X. (a) Notwithstanding any other provision of law, any provision, clause, covenant or agreement contained in a motor carrier transportation contract that purports to indemnify, defend or hold harmless, or has the effect of indemnifying, defending or holding harmless, an indemnitee from or against any liability for loss or damage resulting from such indemnitee’s negligence or intentional acts or omissions shall be void and unenforceable. For the purposes of this section, ‘motor carrier transportation contract. means a contract, agreement or understanding entered into, renewed, modified or extended on or after July 1, 2012, concerning (1) the transportation of property for compensation or hire, (2) the entry on public or private property for the purpose of loading, unloading or transporting property for compensation or hire, or (3) a service incidental to the activities set forth in subdivisions (1) and (2) of this subsection.

‘Motor carrier transportation contract’ shall not include the Uniform Intermodal Interchange and Facilities Access Agreement administered by the Intermodal Association of North America or other agreements providing for the interchange, use or possession of intermodal chassis or containers or other intermodal equipment.”.

The amendment was adopted.

Mr. Michlewitz of Boston then moved to amend the bill by inserting after section 7 the following three sections:

“SECTION 7A. Section 8 of chapter 306 of the acts of 2008 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The board of directors shall consist of 21 persons who shall be voting members. The by-laws shall contain provisions ensuring that as a director’s term expires, the board of directors fill each vacant position, provided that: (i) 1 such director shall be voted from nominees selected by the state representative representing the third suffolk district for a term of 5 years and 1 such director shall be voted from nominees selected by the state senator representing the first suffolk and first middlesex district for a term of 5 years; (iii) 2 directors shall be selected by the board from a list of names provided by the governor; (iv) 2 director shall be selected by the board from a list of names provided by the mayor of the city of Boston; (v) 1 director shall be selected by the board from a list of names provided by the Secretary of the Department on Transportation; (vi) 1 director shall be selected from a list of names provided by the Secretary of the Department of Energy and Environmental Affairs; (vi) 1 director shall be selected from a list of names provided by the North End/Waterfront Neighborhood Council; (vii) 1 director shall be selected from a list of names provided by the Wharf District Council; (viii) 1 director shall be selected from a list of names provided by the Chinatown Neighborhood Council; (ix) 1 director shall be selected from a list of names provided by the Leather District Neighborhood Association; (x) the remaining directors shall be selected for 3 year terms by a majority vote of said board then serving, notwithstanding the two term limited Board appointments from May of 2009. Those appointments shall expire and they shall revert to the North End/Waterfront Residents Association and the Chinatown Residents Association who shall each respectively submit a list of names for the board to select 1 director from each organization.

All directors and committee members shall serve without compensation. No director or committee member shall be deemed a public employee or a state, special state, municipal or special municipal employee or a civil officer by virtue of his position as a director or committee member. Other provisions relative to tenure, removal, resignation, quorum, meetings, notices, and the like shall be contained in the by-laws, which may be amended, revised and adopted by the conservancy as it deems appropriate and in a manner not inconsistent with this act or the agreement.

SECTION 7B. Said chapter 306 is hereby further amended by adding the following sections:—

Section 8A. Except when meeting (i) in executive session, as permitted by section 21(a) of chapter 30A of the General Laws, or (ii) to discuss fundraising and non-governmental revenue issues and opportunities, including but not limited to fundraising prospects, fundraising or grant agreements, or fundraising strategy, the board shall comply with sections 18 to 25, inclusive, of said chapter 30A. Any lease between the department of transportation and the Conservancy described in Section 10 shall provide that any material failure of the board to comply with the provisions of sections 18 to 25, inclusive, of chapter 30A that is not cured in accordance with the terms of the lease or as ordered by the Attorney General shall be considered a default under said lease, and shall be subject to such remedies for default set forth in said lease.

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Section 8B. The Board shall comply with the requirements of clause 26 of section 7 of chapter 4 and section 10 of chapter 66 of the General Laws; provided further, that any donations received by the Conservancy from a private individual, corporation or any other private source shall be exempted from the provisions of this section. Any lease between the department of transportation and the Conservancy described in Section 10 shall provide that any material failure of the board to comply with the requirements of clause 26 of section 7 of said chapter 4 or section 10 of said chapter 66 that is not cured in accordance with the terms of the lease, shall be considered a default under said lease, and shall be subject to such remedies for default set forth in said lease.

SECTION 7C. Section 9 of said chapter 306 is hereby repealed.”.

The amendment was adopted.

Mr. Barrows of Mansfield then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$750,000 shall be expended for the signalization of the intersections of Route 140 (Commercial Boulevard) and the northern end of Central Street in the town of Foxborough”; and the amendment was adopted.

Ms. Poirier of North Attleborough then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$700,000 shall be expended for drainage improvements, roadway restoration, reconstruction of sidewalks and intersection reconstruction at the intersections of Chestnut and Elm Streets as well as Chestnut Street and Route 1 in the town of North Attleborough”. The amendment was adopted.

Mr. Kulik of Worthington then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$6.5 million shall be expended for the design and reconstruction of route 143 in the town of Worthington; and provided further that not less than \$6.3 million shall be expended for the design and reconstruction of route 143 in the town of Chesterfield”; and the amendment was adopted.

Mr. Galvin of Canton then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: “; provided further, that not less than \$500,000 be expended to improve pedestrian access and safety at the Canton Junction commuter rail station”. The amendment was adopted.

The same member then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: “; provided further, that not less than \$300,000 be expended for capital improvements to the Canton Center commuter rail station”; and the amendment was adopted.

Mr. Levy of Marlborough then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that not less than \$250,000 shall be expended for the City of Marlborough for the design and right-of-way costs for roadway and sidewalk reconstruction of Maple Street (Rt 85) from the Southborough town line to John Street, in the City of Marlborough”. The amendment was adopted.

Mr. Keenan of Salem then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that 7,000,000

shall be expended for the reconstruction of Canal Street in the city of Salem". The amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2D, in item 6622-1280, by adding the following: "; provided, further, that \$350,000 shall be expended for engineering and planning for an intermodal transportation center adjacent to the existing north-south rail line in the city of Northampton that is part of the planned high speed 'Vermont' rail service expansion"; and the amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided, further, that \$300,000 shall be expended for the reconstruction of the bridge on South Road in the town of Westhampton". The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$1,000,000 shall be expended for roadwork construction and streetscape improvements in the lower millyard of Amesbury"; and the amendment was adopted.

Messrs. Hecht of Watertown and Lawn of Watertown then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$450,000 shall be expended for improvements to the roadway, pedestrian crossings, sidewalks, and park entrances on Charles River Road in the town of Watertown, conditioned on matching commitment of no less than \$750,000 of additional funding from other public and/or private sources for improvement of the adjoining parklands". The amendment was adopted.

Mr. Pignatelli of Lenox then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$150,000 shall be expended for the study, design, planning and replacement of structurally deficient bridges in the Town of New Marlborough"; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that not less than \$200,000 shall be expended for the study, design, planning and replacement of structurally deficient bridges in the Town of Lee; and provided further, that not less than \$100,000 shall be expended for resurfacing and storm drainage improvements to the Tyringham Road in the Town of Lee". The amendment was adopted.

Mr. Keenan of Salem and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided; provided further, that \$2,600,000 shall be expended for the design and construction of the Essex coastal scenic byway connecting certain municipalities including, but not limited to, Lynn, Swampscott, Marblehead, Salem, Beverly, Manchester-by-the-Sea, Gloucester, Rockport, Essex, Ipswich, Rowley, Newbury, and Newburyport"; and the amendment was adopted.

Mr. Kocot of Northampton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: "; provided further, that \$500,000 shall be expended for the acquisition of a rail line for the construction of a rail trail in the town of Southampton". The amendment was adopted.

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Mr. Murphy of Weymouth then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that \$500,000 shall be expended on street resurfacing of Washington St (Route 53) in Weymouth at the intersection of Commercial St and Front St extending to the intersection of Broad St, and furthermore for street resurfacing and sidewalk improvements from the intersection of Broad St and Washington St to the intersection of Route 18 and Route 53”; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that not less than \$1,000,000 shall be expended on the Route 3A Project in Weymouth at the base of the Fore River Bridge extending southward to the intersection of Green St Bridge St, and Neck St for the grading and paving of roadways as well as construction and repair of sidewalks as to conform to ADA standards, placement of light fixtures and ground mounted electronic signs to indicate bridge openings and current traffic conditions, and for the installation of below grade utilities, and the planting of trees and landscaping along the roadway”. The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided, that not less than \$250,000 shall be expended on the Weymouth Washington St. (Route 53) at Middle St. and Winter St. Project for the repair or replacement and upgrade of the Winter St. concrete barrier and chain-link fencing with picket post cap fencing”; and the amendment was adopted.

Mr. Garballey of Arlington then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$400,000 shall be expended for improvements in the municipal parking facilities in the town of Arlington”. The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for the design and reconstruction of sidewalks along route 1 (Lafayette Road) from Salisbury square to the New Hampshire border”; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for streetscape and safety improvements to the route 113 gateway (Storey Avenue) in Newburyport”. The amendment was adopted.

Mr. Costello then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$1,000,000 shall be expended for the Newburyport intermodal transportation center”; and the amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$900,000 shall be expended for the acquisition and construction of a rail trail from Rabbit Road in Salisbury to Elm Street in Amesbury”. The amendment was adopted.

Ms. Provost of Somerville then moved to amend the bill in section 13, in line 196, after the word “projects.”, by inserting the following sentence: “The Massachusetts department of transportation may enter into an agreement with the bureau of environmental health within the department of public health to conduct the study mandated in Section 154 of Chapter 25 of the Acts of 2009, and shall provide that the bureau shall report its findings together with suggested legislation, if any, to the house and senate committees on ways and means no later than June 30, 2013.”; and in section 14, in line 214, after the word “studies” (the second time it appears), by inserting the following: “, or the study mandated in Section 154 of Chapter 25 of the Acts of 2009”; and the amendments were adopted.

The same member then moved to amend the bill section 14, in line 214, by inserting after the word “environmental” the words “, health impact.”. The amendment was adopted.

Mr. Straus of Mattapoissett then moved to amend the bill by adding the following section:

“SECTION 24. Section 2 of Chapter 103 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking said section in its entirety and inserting in place there of the following section:—

Section 2. There shall be two commissioners of pilots for district one and one commissioner of pilots for each of the other three districts. Commissioner shall be appointed by the governor for a term of three years. Commissioners appointed after January 1, 2013 shall serve for no more than two terms. Commissioners appointed prior to January 1, 2013 shall be eligible to serve for no more than two additional terms upon expiration of their current term. A commissioner of pilots shall be a resident of the district in which he is appointed. Commissioners shall have experience in maritime and nautical affairs.

Section 2. There shall be two commissioners of pilots for district one and one deputy commissioner of pilots for each of the other three districts. On or before December first in any year when their terms of office expire, their successors shall be appointed by the governor, with the advice and consent of the council, for terms of three years. A deputy commissioner of pilots for any district shall be a resident of a town having a landing place accessible to vessels from the sea situated within that district. In this chapter, the word ‘commissioners’ shall be held to mean, as to district one, the commissioners of pilots for said district and, as to each other district mentioned in section one, the deputy commissioner of pilots for such district. They shall have experience in maritime and nautical affairs. Appointments of commissioners for district one shall be made upon the recommendation of the trustees of the Boston Marine Society provided such recommendation is made. Appointments of commissioners for districts other than district one may be made upon the recommendation of said trustees. No commissioner for any district shall be such a trustee.”.

The amendment was adopted.

Ms. Coakley-Rivera of Springfield and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that no less than \$10,000,000

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shall be provided for the design, reconstruction and safety improvements to Riverside Road, Plainfield Street, Fisk Avenue and West Street in the City of Springfield”; and the amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$12,000,000 shall be expended for improvement and repair work to infrastructure along the Merrimack River, including but not limited to boardwalk and marina access improvements, seawall repair, and boardwalk development, in the City of Haverhill”. The amendment was adopted.

Mr. Walsh of Boston then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided that \$3,500,000 in the city of Boston, in the neighborhood of Dorchester, funds shall be expended for the reconstruction of sidewalks from the intersection of Granite Avenue and Gallivan Boulevard, along Gallivan and Morrissey Boulevards to 100 Morrissey Boulevard at the University of Massachusetts at Boston”; and the amendment was adopted.

Mr. Michlewitz of Boston then moved to amend the bill by adding the following section:

“SECTION 25. Chapter 192 of the Acts of 2006 is hereby amended by striking out Section 12 and adding the following:—

Item 7004-0097 of section 2E of chapter 122 of the acts of 2006 is hereby amended by adding the following: ‘provided further, that not less than \$2,000,000 shall be appropriated to the Massachusetts Bay Transportation Authority for a demonstration project to increase groundwater levels in a section of the City of Boston adjacent to the Southwest Corridor, with all phases of the design and implementation of the project to be conducted in consultation with the Executive Office of Energy and Environmental Affairs, the City of Boston, and the Boston Groundwater Trust. Such funds can only be expended following the execution of a memorandum of understanding between the Massachusetts Bay Transportation Authority, the Executive Office of Energy and Environmental Affairs, the City of Boston, and the Boston Groundwater Trust that details the design and review process of the demonstration project, the project management process, and the consultation process amongst the parties’.”.

The amendment was adopted.

Ms. Reinstein of Revere and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$10,000,000 shall be expended for the lower north shore highway improvement project, including but not limited to improvements to route 1 in the cities of Revere and Malden and the town of Saugus, improvements at Mahoney circle, improvements at Brown circle, improvements at Copeland circle, improvements at the intersection of Revere street and route 60 and improvements at the intersection of route 145 and route 16”; and the amendment was adopted.

Representatives Reinstein and DeLeo of Winthrop then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further that up to \$10,000,000 for traffic and streetscape improvements on lower Revere and Ocean Avenue in the city of Revere”. The amendment was adopted.

Mr. Webster of Pembroke then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$400,000 shall be expended for the site work, construction, and implementation of a traffic light and subsequent road work to state highway Rt. 53 and Pleasant St. in the Town of Pembroke”; and the amendment was adopted.

Mr. Timilty of Milton and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$250,000 shall be expended for the augmentation of the work being done with PWED Grant money from Hall Street to Eugenia Street in the town of Randolph”. The amendment was adopted.

Representatives Reinstein of Revere and DeLeo of Winthrop then moved to amend the bill in section 2D, in item 6622-1280, in line 95, by inserting after the word “commonwealth” the following: “; provided further, that \$500,000 may be expended for the design, siting and initial permitting for a commuter rail station at Wonderland Park in the city of Revere”; and the amendment was adopted.

Mr. Timilty of Milton then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$20,000 shall be expended shall be expended for the installation of crosswalks along Route 28 in the town of Milton and along that portion of Reedsdale Road extending from the intersection of Route 28 and Canton Avenue to the intersection of Route 28 and Randolph Avenue and provided further that said crosswalks shall be placed at appropriate intervals to effect the safe and convenient pedestrian crossing of the roadway”. The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$230,000 shall be expended shall be expended for the irepair of sidewalks along Granite Avenue in the town of Milton and along that portion of Granite Avenue extending from the intersection of Granite Avenue and Squantum Street to the intersection of Granite Avenue and the on ramp to Interstate 93N”; and the amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$10,000,000 shall be expended for improvement and repair work to the Downtown area, including but not limited to parking garage repair and improvements, street-scaping, traffic improvements, design and construction costs for sites with transportation purposes, improvements of river access, in the city of Haverhill”. The amendment was adopted.

Mrs. Nyman of Hanover then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$130,000 shall be expended for resurfacing infrastructure improvement to Forge Pond park in the Town of Hanover”; and the amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that not less than \$600,000 shall be expended for the resurfacing and/or reconstruction, including minor drainage improvements of Route 123 in the Town of Norwell”. The amendment was adopted.

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Ms. Wolf of Cambridge and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$350,000 shall be expended for the planning and construction of two physically separate and segregated bicycle and pedestrian pathways along Memorial drive and the Cambridge parkway from the Eliot bridge to the Craigie Dam bridge and the Craigie drawbridge in the city of Cambridge”; and the amendment was adopted.

Ms. Wolf then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$450,000 shall be expended for design and planning of Massachusetts avenue from Beech street to the Arlington town line in the city of Cambridge”. The amendment was adopted.

Messrs. Fallon of Malden and Donato of Medford then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$250,000 shall be expended for the construction of the Northern Strand Community Trail (Bike to the Sea Trail) in the city of Malden”; and the amendment was adopted.

Mr. Sciortino of Medford and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$250,000 shall be expended for the design and construction of traffic signals at the intersections of Harvard street with Main street and Willis avenue in the city of Medford”. The amendment was adopted.

Mr. Sciortino and other members of the House then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$75,000 shall be expended for pedestrian safety improvements on route 16 in the vicinity of Dilboy stadium in the city of Somerville”; and the amendment was adopted.

Messrs. Sciortino of Medford and Garballey of Arlington then moved to amend the bill in section 2A, in item 6121-1217, by adding the following: “; provided further, that \$250,000 shall be expended for design and improvements at the intersections of Boston avenue with route 16 in the city of Somerville, Boston avenue and Winthrop street in the city of Medford, and pedestrian safety improvements on Winthrop street between Boston avenue and route 16 in the city of Medford”. The amendment was adopted.

Messrs. Rogers of Norwood and Kafka of Stoughton then moved to amend the bill by adding the following section:

“SECTION 26. Notwithstanding any general or special law to the contrary, the Massachusetts bay transportation authority shall provide written notice to the clerks of the house of representatives and senate no less than 90 days prior to the extension of any commuter line service, including the extension of a current line or increasing use of a current line, through the town of Walpole.”.

The amendment was adopted.

Mr. Golden of Lowell and other members of the House then moved to amend the bill by adding the following section:

“SECTION 27. Chapter 85 of the General Laws is hereby amended by inserting after section 34 the following section:—

Section 34A. If the governing body in the municipality where a bridge, which carries a public way, which has, within the previous

10 year period, been used for the purpose of promoting public safety, is located in whole or in part, are of the opinion that such bridge is in need of maintenance or repair, they may apply to the Massachusetts Department of Transportation, which shall, after public notice, hear all persons interested, and, if it decides that the work of maintenance or repair is necessary, shall prescribe the manner in and the limits within which it shall be done, and shall forthwith certify its decision to the parties, at which point any and all maintenance or repairs prescribed by the department's decision shall be satisfied at the owner's expense."

The amendment was adopted.

Mr. Golden then moved to amend the bill by adding the following section:

"SECTION 28. Notwithstanding any general or special law to the contrary, upon a vote of the appropriate governing body of the City of Lowell, no action shall be maintained for personal injuries or property damage from defective ways, by a person the combined weight of whose carriage or vehicle and load exceeds that of the heaviest public safety vehicle employed by the municipality where the bridge is located in whole or in part."

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2A, in item 6121-1217, in lines 50 and 51, by striking out the words "needs of the department" and inserting in place thereof the words "projects relating to the design, construction, repair or improvement to nonfederally-aided roadway projects; provided further, that \$200,000 shall be expended for the design of the Bruce Freeman Rail Trail Construction (Phase 2B) in the towns of Acton and Concord; provided further; that \$250,000 shall be expended for a rail trail in the towns of Needham, Dover and Medfield; provided further, that \$1,500,000 shall be expended for the completion of work at the Blossom St. Extension and for a one time purchase of a commuter water shuttle for the operation of the Lynn-Boston commuter ferry line in the city of Lynn; provided further, that \$250,000 shall be expended for the study and design of a new bridge spanning the Merrimack River in the town of Tyngsborough; provided further, that \$500,000 shall be expended for the design of a train with rail in the Grand Junction corridor so that future improvements of rail tracks can be coordinated with the design in the city of Cambridge; provided further, that \$1,000,000 shall be expended for the design and construction of the Inlet Bridge at North Point in the city of Cambridge; provided further, that \$1,000,000 shall be expended for the reconstruction and widening of route 114 between the city of Lawrence and the town of North Andover; provided further, that \$800,000 shall be expended for the reconstruction and widening of route 110 in the city of Methuen; provided further, that \$300,000 be expended for the construction of a new parking deck in the downtown core, known as the Gaslight District, in the city of Westfield; provided further, that \$250,000 shall be expended for improvement designs to the intersection at Williams Street and the Owen Gordon River Parkway in the city of Taunton; provided further, that \$500,000 shall be expended for the Access to State-owned Land program, pursuant to subsection (n) of section 3 of chapter 811 of the Acts of 1985; provided further, that \$250,000 shall

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be expended for the resurfacing of Clark Street, from Park Street to the Templeton town line, in the city of Gardner; provided further, that \$1,000,000 shall be expended for the design of the Rapid Transit Handicap Accessibility project for the Auburndale commuter rail in the city of Newton; provided further, that \$100,000 shall be expended for a study on the feasibility of constructing sidewalks on Bearses Way intersecting with Route 28 and Walton Avenue intersecting with Route 28 in the town of Hyannis; provided further, that that \$250,000 be expended for planning, engineering and construction of a traffic signal at the intersection of Middlesex Avenue and Main Street in the town of Wilmington”; and in section 3, in lines 104 and 105, by striking out the following: “experts in the field of public or private transportation finance; 2 of whom shall have practical” and inserting in place thereof the following: “experienced in the field of public or private finance and management; 1 of whom shall have experience in public policy, 1 of whom shall have”; and the amendments were adopted.

Bill passed to
be engrossed,—
yea and nay
No. 285.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 285 in Supplement.]

Therefore the bill (House, No. 4193, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

Representatives Walsh of Framingham and Sannicandro of Ashland then moved that as a mark of respect to the memory of Robert A. Belmonte, a member of the House from Framingham, from 1965 to 1972, inclusive, the House adjourn; and the motion prevailed.

Accordingly, without further consideration of the matters in the Orders of the Day, at seventeen minutes before nine o'clock P.M., on motion of Mr. Hill of Ipswich (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.

Thursday, June 21, 2012.

Met at six minutes after 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.

Resolutions.

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

Resolutions (filed by Mr. Jones of North Reading) recognizing the North Reading Boys' lacrosse team on winning the Cape Ann League 2012 Division III championship; and North Reading,—lacrosse team.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating John T. Gardiner on the occasion of his retirement as Executive Director of Worcester Comprehensive Education and Care; John T. Gardiner.

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.

Order.

The following order (filed by Mr. Scibak of South Hadley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Tuesday, July 31, 2012, within which to make its final report on current House document numbered 3980, relative to public service matters. Public Service,—extension of time for reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Scibak, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

Petition (accompanied by bill, Senate, No. 2316) of Michael O. Moore and Paul K. Frost (by vote of the town) for legislation to exempt the position of chief of police to the town of Millbury from the civil service law, was referred, in concurrence, to the committee on Public Service. Millbury,—police chief.

A petition (accompanied by bill) of Benjamin B. Downing, Gailanne M. Cariddi and Tricia Farley-Bouvier for legislation to establish a sick leave bank for Heidi A. Lennon, an employee of the Department of Children and Families, came from the Senate referred, under Heidi A. Lennon,—sick leave bank.

Heidi A. Lennon,—
sick leave
bank.

suspension of Joint Rule 12, to the committee on Public Service. The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2319) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

College
textbooks,—
study.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Resolve providing for an investigation and study by a special commission relative to reducing the costs associated with the purchase of college textbooks (House, No. 4060), ought to pass with amendments in line 12 by striking out the figures “13” and inserting in place thereof the figures “14”, in line 15 by striking out the figure “9” and inserting in place thereof the figures “10”, in line 20 by inserting after the word “commonwealth,” the following: “1 of whom shall be representatives of bookstores of higher education institutions of the commonwealth”. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendments pending.

Dedham
Westwood
water
district.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill granting creditable service to employees of the Dedham Westwood Water District (House, No. 4157), be scheduled for consideration by the House.

Under suspension of 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.

MassHealth,—
asset
transfers.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on House, No. 2083, a Bill relative to transfers of assets by MassHealth members (House, No. 4190) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Placement
of children.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill requiring child and parent involvement in permanency and placement planning (House, No. 61, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4178).

Hospitals,—
breastfeeding.

By the same member, for the same committee, that the Bill relative to the promotion of breastfeeding in hospitals (House, No. 1478), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4185).

Personal care
attendants.

By the same member, for the same committee, that the Bill relative to cueing and supervision in the PCA program (House, No. 2685), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4186).

Mental
health,—
outdoor
access.

By the same member, for the same committee, that the Bill concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to the outdoors (House, No. 4023), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4191).

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trial Court (see Senate, No. 2272), 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.

Brian J. Waldron,—
sick leave
bank.

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 4 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The Senate Bill authorizing the conveyance of certain properties by the Melrose Housing Authority in the city of Melrose (Senate, No. 2234) (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, in concurrence.

Third
reading
bill.

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 fourteen minutes after eleven o'clock A.M., 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.

Monday, June 25, 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.

Messages from the Governor.

State funds,—
emergency
expenditures.

A message from His Excellency the Governor submitting requests for making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (House, No. 4195), was filed this day in the office of the Clerk.

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.

Subsequently Mr. Dempsey of Haverhill, for said committee, reported on the foregoing message, a Bill making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (printed in House, No. 4195) [Direct Appropriations: \$1,250,000,000.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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.

Subsequently under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been 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. Sent to the Senate for concurrence.

Rowe,—
town
election.

A message from His Excellency the Governor recommending legislation relative to validating the actions taken at a certain town election held in the town of Rowe (House, No. 4194), was filed this day in the office of the Clerk.

The message was read; and it was referred, on motion of Ms. Cariddi of North Adams, to the House committee on Rules.

Subsequently Mr. Binienda of Worcester, for said committee, reported on the foregoing message, a Bill relative to validating the actions taken at a certain town election held in the town of Rowe (printed in House, No. 4194). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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.

Resolutions.

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

Resolutions (filed by Mr. DiNatale of Fitchburg) congratulating the Honorable Elliott L. Zide on his retirement as Associate Justice of Fitchburg District Court; and

Elliott L.
Zide.

Resolutions (filed by Mr. Kulik of Worthington and other members of the House) recognizing the Admetech Foundation as the host of the fourth annual Prostate Cancer Awareness Day at the Massachusetts State House on June 28, 2012;

Admetech
Foundation.

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

Order.

The following order (filed by Mr. Costello of Newburyport) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered. That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Tuesday, July 31, 2012, within which to make its final report on current Senate documents numbered 442 and 1856; and House document numbered 3322.

Financial
Services,—
extension
of time for
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Costello, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petition.

By Representative Durant of Spencer and Senator Brewer, a joint petition (accompanied by bill, House, No. 4203) of Peter J. Durant (by vote of the town) relative to the collection of estimated water assessments and general fund reimbursements in the town of Charlton; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Charlton,—
water
assessments.

Papers from the Senate.

The House Bill establishing a sick leave bank for Patricia Chasse, an employee of the Executive Office of Health and Human Services (House, No. 4094), came from the Senate passed to be engrossed, in concurrence, with amendments in line 1 striking out the following: "SECTION 1.", also in line 1 inserting after the word "law" the words "or rule or regulation", in lines 1 and 2 striking out the words "executive office of health and human services" and inserting in place thereof the words "department of children and families", in lines 3, 5 and 8 striking out the word "office" and inserting in place thereof, in each instance, the word "department"; striking out the emergency preamble and inserting in place the following emergency preamble:

Patricia
Chasse,—
sick leave
bank.

Patricia Chasse,—
sick leave bank.

“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 department of children and families, 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 the following title: “An Act establishing a sick leave bank for Patricia Chasse, an employee of the Department of Children and Families.”.

Under suspension of Rule 35, on motion of Mr. O’Day of West Boylston, 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.

School districts,—
evaluation systems.

The Senate Bill providing for the implementation of education evaluation systems in school districts (Senate, No. 2315) (on Senate, No. 2197), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Bills

Superintendency Union 28,—
benefits.

Relative to superintendency union benefits (Senate, No. 2092, amended by striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding section 2 of chapter 32B of the General Laws, superintendency union 28, consisting of the towns of Erving, Leverett, New Salem, Shutesbury and Wendell may, in consultation with the joint school committee, as provided in section 63 of chapter 71 of the General Laws, enter into agreements to fund benefits for employees and retirees of the superintendency union in amounts proportionate to the benefits offered by each town to municipal employees and retirees. Those agreements shall be approved by each town through a majority vote of the board of selectmen or town council in each town.”) (on a petition); and

Groveland,—
solar generating facility.

Authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (Senate, No. 2320) (on Senate bill No. 2257) [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.

Reports of Committees.

Electricity,—
pricing.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended) (for order, see House, No. 4197). The order was considered forthwith; and it was adopted.

Educational institutions,—
unemployment benefits.

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 Geoffrey Diehl and

another relative to unemployment benefits for employees of educational institutions. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4198. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Competitively
priced
electricity.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2214, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143), ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4196. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Utility
companies,—
emergency
responses.

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

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2143, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to natural gas leaks (House, No. 4129), ought to pass with an amendment substituting therefor of a bill with the same title (House, No. 4199). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Natural
gas leaks.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House, with the amendment pending.

Under suspension of Rule 7A, on motion of Mr. Wagner of Chicopee, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Gloria Chisholm,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation (House, No. 4184), 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. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Anti-freeze.

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

Bylaws.

Relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 2300); and

House bills

Rebates.

Relative to commercial rebate expiration (House, No. 380);

Speed limits.

Relative to speed limits (House, No. 926);

Trucks, etc.,—
idling.

To exempt the weight of idle reduction systems for commercial vehicles from maximum weight restrictions (House, No. 951);

Motorcycles.

Relative to motorcycle inspections (House, No. 1790);

Holyoke,—
police.

Relative to the police department in the city of Holyoke (House, No. 3484) [Local Approval Received];

Boston,—
Art

Commission.

Further regulating the Boston Art Commission enabling legislation, Chapter 410 of the Acts of 1898 (House, No. 3784) [Local Approval Received];

Historical
commissions.

Authorizing alternate members on local historical commissions (House, No. 3968);

East
Bridgewater.

Relative to tax titles in the town of East Bridgewater (House, No. 3991) [Local Approval Received];

Harvard.

Relative to electing water commissioners in the town of Harvard (House, No. 3997) [Local Approval Received];

Boston,—
ballots.

Amending the preparation of certain ballots in the city of Boston (House, No. 4020) [Local Approval Received];

Provincetown.

Relative to the finance committee of the town of Provincetown (House, No. 4054) [Local Approval Received];

Parking lots.

Limiting time period parking lots can remain open (House, No. 4122); and

Speed limits.

Relative to speed limits (House, No. 4165);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Mary M.
Stanton,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Mary M. Stanton, an employee of the Department of Developmental Services (see House, No. 3972), 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 6 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Brian J. Waldron, an employee of the Trial Court (see Senate, No. 2272) (which originated in the Senate), 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. Bill enacted.

The engrossed Bill authorizing the conveyance of certain properties by the Melrose Housing Authority in the city of Melrose (see Senate, No. 2234) (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. Id.

Orders of the Day.

The House Bill designating Male Breast Cancer Awareness Week (House, No. 4019), 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. Sent to the Senate for concurrence. Third reading bill.

Recess.

At twenty-six minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at nine minutes after two o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Patricia Chasse, an employee of the Department of Children and Families (see House, No. 4094), 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. Patricia Chasse,—sick leave bank.

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 3 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

The engrossed Bill relative to clear and conspicuous price disclosure (see House, No. 4089) (which originated in the House), 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. Id.

Recess.

Recess.

At twenty-eight minutes before three 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 seventeen minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Engrossed Bill.

Bill enacted.

The engrossed Bill making certain appropriations for the fiscal year 2013 before final action on the General Appropriations Bill (see House bill printed in House, No. 4195) (which originated in the House), 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.

Order.

Next sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

At twenty-six minutes after three o'clock P.M., on motion of Mr. Kafka of Stoughton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.

Wednesday, June 27, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Statement Concerning Representative Naughton of Clinton.

A statement of Mr. Mariano of Quincy concerning Mr. Naughton of Clinton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Naughton of Clinton, is unable to be present in the House Chamber for today's sitting due to official military business outside of the Commonwealth. His missing of roll calls today will be due entirely to the reason stated. Statement concerning Mr. Naughton of Clinton.

Distinguished Guest.

During the session, the Speaker took the Chair and introduced United States Navy Rear Admiral Buzz Little, Commander of the Navy Reserve Forces Command. Admiral Little then addressed the House on the occasion of Fleet Week in Boston. Rear Admiral Buzz Little.

Resolutions.

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

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) on the occasion of the dedication of the Allen Robert Loane Square in the town of Natick; and Allen Robert Loane Square.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Oscar W. H. Brote on receiving the Eagle Award of the Boy Scouts of America; Oscar W. H. Brote.

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

Communication.

A communication from the Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting a request for expenditure for technological improvements from the County Registers Technological Fund [copies of said communication forwarded to the House and Senate committees on Ways and Means and Post Audit and Oversight, was placed on file]. Dukes County Registry of Deeds,— technology expenditure.

Petitions.

Petitions severally were presented and referred as follows:

Hubbardston,—
charter.

By Mrs. Ferguson of Holden, a petition (accompanied by bill, House, No. 4209) of Kimberly N. Ferguson, Anne M. Gobi and Stephen M. Brewer (by vote of the town) for legislation to establish a charter for the town of Hubbardston;

Harwich,—
health
insurance.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4210) of Sarah K. Peake (by vote of the town) relative to health insurance benefits for elected officials in the town of Harwich; and

Westborough,—
charter.

By Mr. Peterson of Grafton, a petition (accompanied by bill, House, No. 4211) of George N. Peterson, Jr. and others (by vote of the town) relative to amending the charter of the town of Westborough;

Severally to the committee on Municipalities and Regional Government.

Gardner,—
civil
service.

By Mr. Bastien of Gardner, a petition (accompanied by bill, House, No. 4213) of Richard Bastien and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to exempting certain positions in the city of Gardner from the provisions of civil service laws;

Id.

By Mr. Bastien of Gardner, a petition (accompanied by bill, House, No. 4214) of Richard Bastien and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to exempting certain positions in the city of Gardner from the provisions of civil service laws; and

Wilbraham,—
special
police.

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 4212) of Angelo J. Puppolo, Jr. (by vote of the town) for legislation to authorize the appointment of special police officers in the town of Wilbraham;

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Mansfield,—
public
intoxication.

By Mr. Barrows of Mansfield, a petition (subject to Joint Rule 12) of F. Jay Barrows and Elizabeth A. Poirier (by vote of the town) relative to public intoxication in the town of Mansfield.

Wastewater
district.

By Mr. Barrows of Mansfield, a petition (subject to Joint Rule 12) of F. Jay Barrows relative to the Mansfield, Foxborough, and Norton wastewater district.

Delinquency
records,—
sealing.

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to community service to expedite the sealing of delinquency records.

Halifax,—
land.

By Representative Calter of Kingston and Senator Kennedy, a joint petition (subject to Joint Rule 12) of Thomas J. Calter (by vote of the town) relative to authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax.

Watertown,—
Menton
Corner.

By Mr. Hecht of Watertown, a petition (subject to Joint Rule 12) of Jonathan Hecht, William N. Brownsberger and John J. Lawn, Jr., for legislation to designate a certain corner in the town of Watertown as Menton Corner.

By Mr. Parisella of Beverly, a petition (subject to Joint Rule 12) of Jerald A. Parisella for legislation to establish a sick leave bank for Amy Crowley, an employee of the Department of Revenue. Severally, under Rule 24, to the committee on Rules.

Amy
Crowley,—
sick leave.

Papers from the Senate.

A report (in part) of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4000) to the Senate Bill relative to economic development reorganization (Senate, No. 2220), recommending passage of a bill with the same title (Senate, No. 2329), came from the Senate with the endorsement that it had been accepted by said branch.

Economic
development
reorganization.

Under suspension of the rules, on motion of Mr. Straus of Mat-tapoisett, the report was considered forthwith; and it was accepted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

“*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, June 8, 2012 within which to make its final report on current Senate documents numbered 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 679, 680, 681, 682, 683, 684, 685, 686, 689, 691, 693, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 729, 730, 731, 732, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 755, 756, 757, 758, 759, 760, 761, 762, 763, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 821, 822, 823, 824, 825, 826, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 862, 863, 864, 865, 866, 867, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 976, 1227, 1712, 1859, 1860, 1861, 1862, 1953, 2012, 2040, 2061 and 2160, relative to the judiciary.

Judiciary
committee,—
extension
of time for
reporting.

Under suspension of the rules, on motion of Mr. O’Flaherty of Chelsea, the order was considered forthwith; and it was adopted, in concurrence.

Children,
Families and
Persons with
Disabilities,—
extension
of time for
reporting.

The House Order relative to extending until Tuesday, June 12, 2012 the time within which the committee on Children, Families and Persons with Disabilities is authorized to report on current House document numbered 3902, came from the Senate with the endorsement that it had been adopted, in concurrence, with an amendment striking out the date “Tuesday, June 12” (as amended by the House) and inserting in place thereof the date “Monday, July 16”.

Under suspension of the rules, on motion of Ms. Khan of Newton, the amendment was considered forthwith; and it was adopted, in concurrence.

Long-term
care
facilities,—
dementia
training.

The House Bill providing for dementia-specific training for certain employees of long-term care facilities (House, No. 3947, amended) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 3, in line 25, striking out the word “January” and inserting in place thereof the word “April”.

Under suspension of Rule 35, on motion of Ms. Wolf of Cambridge, 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.

Transportation
development
and
improvement.

The House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4174), 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 2317; inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for financing and reforms to the commonwealth’s public transportation system, 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 relative to financing and reforming public transportation in the Commonwealth.”

Under suspension of the rules, on motion of Mr. Straus of Matapoisett, the amendments were considered forthwith.

The same member then moved that the House concur with the Senate in its amendments with a further amendment, 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 4215; and the further amendment was adopted.

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

Education
evaluation.

The Senate Bill providing for the implementation of education evaluation systems in school districts (Senate, No. 2315) (on Senate, No. 2197), passed to be engrossed by the Senate, was read. Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith.

Pending the question on passing the bill to be engrossed, in concurrence, the same member moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide forthwith for the implementation of education evaluations system in school districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (Senate, No. 2315, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Bills

Authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (Senate, No. 2154) (on a petition); and

Hingham,—
sewer
services.

Establishing a sick leave bank for Heidi A. Lennon, an employee of the Department of Children and Families (Senate, No. 2319) (on a petition);

Heidi A.
Lennon,—
sick leave
bank.

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 matter be scheduled for consideration by the House.

Subsequently, 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 petition (accompanied by bill) of Eileen M. Donoghue for legislation to establish a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Laurie
Bourassa,—
sick leave
bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2332) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2275) of the House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101), reported, in part, a Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4200) [Appropriation: \$32,509,152,751.00]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Kafka of Stoughton, for said committee, then reported, that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance.

General
Appropriation
Bill,—
Henderson
Boat House,
etc.

Mr. Dempsey of Haverhill, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2275) of the House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101), reported, in part, a Bill establishing the social innovation financing trust fund and authorizing the lease of the Henderson Boat House (House, No. 4219). 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; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance.

Patricia
Morin,—
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 joint petition of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Patricia Morin, an employee of the Executive Office of Health and Human Services. Under suspension of the rules, on motion of Mr. Rogers of Norwood, 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.

Vehicle
emissions.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill to promote the reduction of green house gas emissions and to reduce the use of fossil fuels for vehicles in the Commonwealth (House, No. 253).

Assawompset
Ponds,—
water.

By the same member, for the same committee, on a joint petition, a Bill to preserve public water supply in Assawompset Ponds Complex communities (House, No. 3669).

Mercury
thermostats.

By the same member, for the same committee, on House, Nos. 251 and 1170, a Bill prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204).

Municipal
solid waste.

By the same member, for the same committee, on House, No. 1142, a Bill to reduce solid waste and generate municipal cost savings (House, No. 4205).

Boater
safety.

By the same member, for the same committee, on House, No. 3407, a Bill David Hanson Boater Safety Act (House, No. 4206).

Mercury
lamps.

By the same member, for the same committee, on Senate, No. 360 and House, Nos. 267 and 1163, a Bill relative to increasing the recycling of mercury-added lamps (House, No. 4207).

Land
takings.

By the same member, for the same committee, on Senate, No. 1854, a Bill relative to land taking regulations (House, No. 4208).

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on a petition, a Bill relative to manufacturer rebates and discount programs (printed as Senate, No. 548).

Manufacturer rebates.

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

Emergency Measures.

The engrossed Bill providing for the implementation of education evaluation systems in school districts (see Senate, No. 2315, 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.

Education evaluation.

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 41 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

The engrossed Bill financing improvements to the Commonwealth's transportation system (see Senate, No. 2329), 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.

Transportation bonds.

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 36 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted (state loan),—yea and nay No. 292.

[See Yea and Nay No. 292 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to an accelerated transportation development and improvement program for the Commonwealth (see House, No. 4174, 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.

Transportation Authority,—improvements.

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 51 to 0. Sent to the Senate for concurrence.

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

Bill enacted,—
yea and nay
No. 294.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair); and on the roll call 127 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 294 in Supplement.]

Therefore the bill 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 validating the actions taken at certain town election held in the town of Rowe (see House bill printed in House, No. 4194) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bills.

House bills

Relative to public access of private restrooms (House, No. 2366);

Relative to annual immunization against influenza for children (House, No. 3948);

Granting creditable service to employees of the Dedham Westwood water district (House, No. 4157); and

Validating the actions taken at a certain town election held in the town of Rowe (printed in House, No. 4194);

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. Sent to the Senate for concurrence.

Second
reading
bills.

Senate bills

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

Relative to the effective enforcement of municipal ordinances and bylaws (Senate, No. 2300); and

House bills

Relative to speed limits (House, No. 926);

Relative to motorcycle inspections (House, No. 1790);

Relative to the police department in the city of Holyoke (House, No. 3484);

[sic] Amendment to the city of Boston Art Commission enabling legislation, Chapter 410 of the Acts of 1898 (House, No. 3784);

Authorizing alternate members on local historical commissions (House, No. 3968);

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

Relative to electing water commissioners in the town of Harvard (House, No. 3997);

Amending the preparation of certain ballots in the city of Boston (House, No. 4020);

Relative to the finance committee of the town of Provincetown (House, No. 4054); and

Relative to speed limits (House, No. 4165);

Severally were read a second time; and they were ordered to a third reading.

The House Bill encouraging responsible, cost effectiveness and meaningful lives for individuals with disabilities (House, No. 984), was read a second time. Second reading
bill amended.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4167),— was adopted.

The substituted bill then was ordered to a third reading.

The House Bill relative to collective bargaining agreements (House, No. 1402), was read a second time. Collective
bargaining.

Pending the question on ordering the bill to a third reading, Mr. O'Day of West Boylston, moved to amend it in line 3 by inserting after the word "employees" the words "of the Commonwealth, its Appointing Authorities, Agencies, Departments, Divisions to include Massachusetts Department of Transportation and Massachusetts Board of Higher Education."

The amendment was adopted; and the bill, as amended, was ordered to a third reading.

The Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Utilities,—
response
services.

After remarks on the question on passing the bill to be engrossed, Mr. Basile of Boston moved to amend it in section 6, line 65, by striking out the words "their service area" and inserting in place the words "the Commonwealth"; and the amendment was adopted

Ms. Coakley-Rivera of Springfield then moved to amend the bill in section 2 by adding the following paragraph:

"(X) The Identification of the location of all hospitals, nursing homes, public or private senior housing complexes and assisted living facilities in the service area for the purpose of prioritizing and ensuring the immediate restoration of services to said locations."

The amendment was adopted.

Mr. Naughton of Clinton then moved to amend the bill in section 5 by adding the following paragraph:

"(i) On or before October 1 of each year, every city or town must notify each investor-owned electric distribution or natural gas distribution company and the Massachusetts emergency management agency the name of the emergency management official or designee responsible for coordinating the emergency response during storm restoration. If a municipality does not have a designated emergency management official, the chief municipal officer shall designate one public safety official responsible for said emergency response."

The amendment was adopted.

Mr. Golden of Lowell then moved to amend the bill in section 2, in lines 13 and 14, by striking the words "service workers" and inserting

Utilities,—
response
services.

in place thereof the word “crews”, in line 38 by striking the figure “4” and inserting in place thereof the figure “5”, in line 43, by striking the words “local officials” and inserting in place thereof the words “management staff responsible for company operations”, in lines 45, 48 and 51, by striking out, in each instance, the word “transmission”; and in line 54, by striking out the words “general public” and inserting in place thereof the words “designated emergency management official”. The amendments were adopted.

Messrs. Winslow of Norfolk and Hunt of Sandwich then moved to amend the bill in section 2, in line 16, and in section 5, in line 52, by striking out the words “twice-daily” and inserting in place thereof, in each instance, the words “three times daily”. The amendments were adopted.

The same members then moved to amend the bill by inserting after section 1 the following section:

“SECTION 1A. Section 1J of said chapter 164, as so appearing, is hereby amended by inserting after the word “commonwealth.” the following text:—

No municipality shall be prohibited from requiring utility lines located within the publicly-owned right of way to be kept clear of trees and branches as a condition of the use of such public property by utility companies.”

After remarks the amendment was rejected.

Messrs. Winslow of Norfolk and Hunt of Sandwich then moved to amend the bill by adding the following section:

“SECTION 7. Chapter 164 of the General Laws is hereby amended by inserting after section 1J the following section:—

Section 1K. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Catastrophic conditions’, severe weather conditions resulting in the interruption of service to 10 percent or more of a utility’s customers or a state of emergency declared by local, state or federal government officials.

‘Duration of the interruption’, the measure of time from the time the utility was notified or otherwise became aware of the loss of service.

‘Interruption’, the full or partial loss of service to 1 or more customers for longer than 5 minutes.

‘Normal conditions’, conditions other than catastrophic conditions as defined by this section.

‘Same-circuit repetitive interruption’, a grouping of more than 10 customers on a circuit who experience multiple interruptions under all conditions.

(b) Notwithstanding any general or special law, rule or regulation to the contrary, the department shall promulgate regulations to establish a credit of not less than \$25 to be awarded to each ratepayer, whereupon an investor-owned electric distribution, transmission or natural gas distribution company fails to restore service as follows:

(i) within 120 hours after an interruption due to catastrophic conditions;

(ii) within 16 hours after an interruption that occurred during normal conditions; or

(iii) where there are more than 7 service interruptions in a 12-month period due to same circuit repetitive interruption.

The credit shall be credited during a single billing month within 3 months of the department's notification of violation or final adjudication after appeal under this section; provided, however, that companies may petition the department to distribute the credit over a period of more than a single billing month if the cumulative amount of the credits exceeds \$10,000,000. The department may establish a schedule of credits dependent on the class of ratepayer, length of interruption or frequency of interruption. The entire cost of the credit shall be assessed to the investor-owned electric distribution, transmission or natural gas distribution company that provides such service to the affected customer. The issuance of the credit shall be appealable to the department. The department shall review the amount of the credit on an annual basis. The credits established by this section shall be implemented notwithstanding the maximum penalty under section 1J."

Pending the question on adoption of the amendment, Mr. Winslow of Norfolk asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 146 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 286.

[See Yea and Nay No. 286 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Winslow of Norfolk; and on the roll call 37 members voted in the affirmative and 115 in the negative.

Amendment
rejected,—
yea and nay
No. 287.

[See Yea and Nay No. 287 in Supplement.]

Therefore the amendment was rejected.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan of Salem; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 288.

[See Yea and Nay No. 288 in Supplement.]

Therefore the bill was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (for text of House amendment, see House document numbered 4220).



The Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Competitively
priced
electricity.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Representatives Peake of Provincetown and Ferrante of Gloucester moved to amend it by adding the following four sections:

“SECTION 45. Subparagraph (1) of paragraph (B) of section 5K of chapter 111 of the general laws, as appearing in the 2008 Official

Competitively
priced
electricity.

Edition, is hereby amended by inserting after the first sentence the following sentence:— The monitoring stations shall be set throughout a 20 mile radius of the nuclear power plant, which shall also include cities and towns located in Barnstable, Dukes and Nantucket counties, as well as in the area known as Cape Ann in Essex county.

SECTION 46. Paragraph (F) of said section 5K of said chapter 111, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— The department of public health shall stockpile thyroid-blocking agents according to regulations promulgated by the department for cities and towns located within a 20 mile radius of a nuclear power plant, which shall also include cities and towns located in Barnstable, Dukes and Nantucket counties, as well as in the area known as Cape Ann in Essex county.

SECTION 47. Said section 5K of said chapter 111, as so appearing, hereby amended by adding the following paragraph:—

(I) The plume exposure pathway emergency planning zone, as defined in 44 C.F.R. section 350.2, shall be the area located within a 20 mile radius of the nuclear power plant, which shall also include cities and towns located in Barnstable, Dukes and Nantucket counties, as well as in the area known as Cape Ann in Essex county. Predetermined protective action plans shall be in place for the Plume Exposure Pathway Emergency Planning Zone which shall include sheltering and evacuation details.

SECTION 48. The department of public health shall promulgate rules and regulations to implement the provisions of sections X to X, inclusive, within 180 days of the effective date of this act.”.

The amendment was rejected.

Representatives Sciortino of Medford and Provost of Somerville then moved to amend the bill by adding the following two sections:

“SECTION 45. Chapter 25 of the General Laws is amended in Section 21 by inserting after subsection (e) the following new subsections:—

(f) In implementing its energy efficiency plan, each electric and natural gas distribution company Program Administrator, and any other entity that receives public subsidy and provides energy efficiency services shall, in consultation with the Energy Efficiency Advisory Council, as defined by section 22 of chapter 25 of the General Laws, and subject to the approval of the Department of Public Utilities:

(1) Report aggregate residential and commercial ratepayer data for those who receive energy efficiency program benefits to the Department Of Energy Resources. The report shall specify for each zip code the number of participants served; energy efficiency measures provided; program and participant dollars spent per measure; energy savings per measure; and the number of participants that reside in rental units.

(2) Not later than January 1, 2013 and every January 1 and July 1 of each year thereafter, each electric, and any other entity that receives public subsidy and provides energy efficiency services shall submit the data identified in Section (f)(1) to the Department Of Energy Resources.

(g) The Department Of Energy Resources shall establish and maintain a database to store and manage all energy efficiency program data collected under section (f) of chapter 25.

(h) The Department Of Energy Resources shall establish annual benchmarks for reaching the statewide goals and providing equitable access to historically harder-to-reach segments, including, but not limited to, residential rental properties, low and moderate-income homeowners and renters (those earning up to 120% state median income), communities whose primary language is not English, and small commercial businesses, which may not be participating at rates commensurate with the funds that they are paying into the programs as ratepayers.

(i) Not later than January 1, 2014 and every January 1 of each year thereafter, the Department Of Energy Resources shall provide a report to the Joint Committee on Telecommunications, Utilities and Energy, and the public through the department, demonstrating whether energy efficiency programs are reaching ratepayers and buildings equitably.

(j) The Department Of Energy Resources shall promulgate regulations to implement the requirements of this legislation within one year of enactment.

SECTION 46. Chapter 23J of the General Laws, as so appearing, is hereby amended in Section 5 by inserting at the end the following new paragraph:—

The center shall annually, no later than April 1, submit to the governor, the joint committee on telecommunications, utilities and energy, energy efficiency advisory council a report detailing the energy efficiency and green industry workforce development needs in the State. The report shall include:

(A) data on jobs created and demographic information about who is hired;

(B) recommended target hiring goals;

(C) average salaries and benefits information;

(D) recommended legislation to implement the proposed plan on a long-term basis.”.

The amendment was rejected.

Mr. Moran of Boston then moved to amend the bill in section 41, in line 428, by inserting after the word “in” (the first time it appears) the words “accordance with cost-based criteria. In the absence of clear cost causation, volumetric charges must be employed in”, and, in lines 429 and 430 by striking out the words “unless the cost causation for each rate class is directly attributable to volumetric usage”. The amendments were adopted.

Mr. Kulik of Worthington moved that the bill be amended adding the following section:

“SECTION 45. (a) The Massachusetts Clean Energy Center shall administer a Design and Construction Improvement Grant program, in conjunction with the Commonwealth Hydropower Program, for the purpose of funding upgrades and improvements to existing hydroelectric generation facilities located in the commonwealth that have incrementally increased generating capacity after December 31, 1997, provided that such upgrades and improvements are necessary for the facilities to qualify as a Class I or Class II renewable energy generating source pursuant to section 11F of chapter 25A of the general laws and 225 CMR 14.00.

Competitively
priced
electricity.

(b) Notwithstanding any rule or regulation to the contrary, the Massachusetts Clean Energy Center shall have the right to draw upon and shall make available for the grant program developed pursuant to subsection (a) not less than thirty percent of all Class II alternative compliance payment funds generated under section 11F of chapter 25A of the general laws during the twelve months preceding the solicitation under said grant program.

(c) Facilities that apply for the grant program developed pursuant to subsection (a) shall be eligible for a grant for each such facility of up to an amount equal to the thirty percent of Class II alternative compliance payment funds made available under subsection (b); provided that sufficient funds are available for such grants. No grant shall equal more than fifty percent of the total actual cost for the upgrades and improvements necessary for the facilities to qualify as a Class I or Class II renewable energy generating source pursuant to section 11F of chapter 25A of the general laws and 225 CMR 14.00. In awarding grants under said program, the Massachusetts Clean Energy Center shall give preference to facilities that either (i) have installed or implemented efficiency improvements resulting in an incremental generation capacity increase of ten megawatts or more, or (ii) have completed capacity upgrades or installed or implemented efficiency improvements for a facility of one megawatt or less prior to said capacity upgrades or efficiency improvements.

(d) The grant program outlined in subsections (a)-(c) shall terminate on December 31, 2014.”

The amendment was adopted.

Representatives Walz of Boston and Keenan of Salem then moved to amend the bill by adding the following two sections:

“SECTION 46. Section 3(a) of Chapter 23J of the General Laws, as so appearing, is hereby amended by adding the following subsection to the end thereof:—

(32) to borrow and repay money by issuing bonds or notes of the center, to apply the proceeds thereof in furtherance of its purposes under this chapter and to pledge or assign or create security interests in any revenues, receipts or other assets of funds of the center to secure bonds or notes, including without limitation amounts received or held in the Massachusetts Renewable Energy Trust Fund established pursuant to section 9.

SECTION 47. Section 9(g) of Chapter 23J of the General Laws, as so appearing, is hereby amended by deleting the last paragraph thereof, and replacing it with the following:—

The amounts collected pursuant to section 20 of chapter 25 shall be impressed with a trust for the benefit of the trust fund. To facilitate the center’s ability to issue bonds and notes secured by amounts in the trust fund, the commonwealth shall covenant with the holders of such bonds and notes that the amounts collected under said section 20 of said chapter 25 shall not be diverted from the trust fund and that the rates of the mandatory charges under said section 20 of said chapter 25 shall not be reduced while any such bonds or notes are outstanding. In furtherance of the public purposes of the trust fund, income derived from the investment of amounts collected under said section 20 of said chapter 25 shall be expended by the center as provided in subsec-

tion (a) and, in the discretion of the center, in furtherance of the public purposes of the center or otherwise consistent with the purposes of the trust fund.”

The amendment was adopted.

Ms. Reinstein of Revere then moved to amend the bill by striking out section 14 and inserting in place thereof the following section:

“SECTION 14 section 1A of chapter 164 of the General Laws, as appearing, is hereby amended by striking out, in lines 194 and 195, the words ‘before January 1, 2009, and 50 megawatts of such a facility after January 1, 2010’ and inserting in place thereof the following words:— provided further that a distribution company must obtain approval from the department on or before June 30, 2014 to construct new generation facilities that produce solar energy.”

The amendment was adopted.

Mr. Curran of Springfield then moved, there being no objection, to amend the bill in section 14 (inserted by amendment), by striking out the word “construct” and inserting in place thereof the words “submit a request to recover costs associated with”; and the amendment was adopted.

Mr. Smizik of Brookline then moved to amend the bill in section 2, in line 30, by inserting after the word “program.” the following sentence: “Notwithstanding the foregoing, nothing in this section shall cause the funding to decrease of the low-income residential demand-side management and education programs funded pursuant to section 19 of chapter 25.” The amendment was adopted.

Ms. Hogan of Stow and other members of the House then moved to amend the bill by adding the following section:

“SECTION 48. Chapter 164 of the General Laws is hereby amended by striking out section 137 and inserting in place thereof the following section:—

Section 137. Notwithstanding any general or special law, rule, or regulation to the contrary; (a) any non-profit institution in the commonwealth or any agency, executive office, department, board, commission, bureau, division, or authority of the commonwealth, including the executive, legislative, and judicial branches of the commonwealth, or of any political subdivision thereof, or of any authority established by the general court to serve a public purpose, may, unless located within the boundaries of a community served by a municipal light department, participate in and become a member of any competitively procured program organized and administered, pursuant to the provisions of this chapter, by or on behalf of any public instrumentality of the commonwealth or of any subsidiary organization thereof for the purpose of group purchasing of electricity, natural gas, telecommunications services, or similar products; (b) the disposition of municipal or state real property by lease, easement, or license for renewable energy shall not require competitive bidding when a part of a power purchase agreement or a net metering agreement in a program organized and administered pursuant to this section; (c) any agency, executive office, department, board, commission, bureau, division, or authority of the commonwealth, including the executive, legislative, and judicial branches of the commonwealth, are hereby authorized on behalf of the commonwealth to dispose of real property, by lease, easement, or

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electricity.

license, which is part of a power purchase agreement or net metering agreement in a program organized and administered pursuant to this section, including but not limited to construction of renewable energy projects on state property; and (d) any renewable project which is part of a power purchase agreement or net metering agreement in a program organized and administered pursuant to this section and deemed to be public construction shall be subject to the provisions of sections 26 to 27 D, inclusive, of chapter 149.”

The amendment was adopted.

Mr. Winslow of Norfolk moved to amend the bill by adding the following twenty-three sections:

“SECTION 49. The first sentence of section 19 of chapter 25 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out in line 2, the words:— except those served by a municipal lighting plant.

SECTION 50. Said section 19 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 5, the following words:— participating municipal lighting plants.

SECTION 51. Subsection (a) of section 20 of said chapter 25, as so appearing, is hereby amended by striking out, in line 2, the words:— except those served by a municipal lighting plant which does not supply generation service outside its own service territory or does not open its service territory to competition at the retail level.

SECTION 52. Subsection (b) of said section 20 of said chapter 25 is hereby repealed.

SECTION 53. Section 21 of said chapter 25 is hereby amended by inserting after the word ‘companies’, in line 9, the words:— municipal light plants formed after July 31, 2012.

SECTION 54. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 77, the words:— municipal light plants.

SECTION 55. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 81, the words:— municipal light plants.

SECTION 56. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 83, the words:— municipal light plants.

SECTION 57. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 85, the words:— municipal light plants formed after July 31, 2012.

SECTION 58. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 93, the words:— and municipal light plants.

SECTION 59. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 105, the words:— municipal light plant.

SECTION 60. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘company’, in line 110, the words:— municipal light plant.

SECTION 61. Subsection (e) of section 10 of chapter 25A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the second sentence.

SECTION 62. Subsection (i) of section 11F of said chapter 25A is hereby repealed.

SECTION 63. Subsection (d) of section 11F½ of said chapter 25A is hereby repealed.

SECTION 64. Section 1B of chapter 164 of the General Laws, as so appearing, is hereby amended by adding to the end of subsection (a) the following:— except that the purchase by a municipality of plant from a distribution company shall transfer all rights and obligations established in this section to the municipal lighting plant of the purchasing municipality or cooperative.

SECTION 65. Said chapter 164 is hereby amended by striking out section 43, as so appearing, and inserting in place thereof the following section:—

Section 43. (a) If a municipality which votes to establish a municipal lighting plant fails, within 150 days from the passage of the final vote required by section 35 or 36, to agree, as to price or as to the property to be included in the purchase, with a distribution company currently serving such municipality, such municipality may apply to the department within 180 days after the expiration of said 150 days for review of the feasibility of the municipality's acquisition of such property. The municipality's filing shall include:

- (1) an outline of the property the municipality wishes to acquire;
- (2) a projection of purchase price of such property;
- (3) a projection of total costs of establishing the municipal lighting plant;
- (4) a financing plan to cover the purchase price, including a description of municipality's bonding ability;
- (5) pro forma income statement and balance sheet for the municipal lighting plant;
- (6) the options for governance of the municipal lighting plant approved or anticipated by the municipality, and;
- (7) a projection of electric rates to be charged by the municipal lighting plant.

(b) The department may investigate the feasibility of the municipality's proposed acquisition, and shall, within 180 days of the filing and after notice and a public hearing, issue a report regarding the feasibility of the municipality's filing; provided, however, that the department is not required to issue more than 3 such reports in any contiguous 12-month period. Any reports that are not issued within 180 days of the filing shall be issued in the order of the filings. If multiple municipalities file with the stated intent of establishing a joint or cooperative system of municipal lighting plants, the department shall process such filing simultaneously, to the extent possible. The department shall transmit its report to the distribution company, the clerk of each such town and the department of energy resources. The department shall report to the general court the results of its findings and file such reports with the clerks of the house of representatives and the senate, who shall forward the same to the joint committee on telecommunications, utilities and energy.

(c) Upon the issuance of the department's report, the municipality may seek determination as to what property ought in the public interest to be included in the purchase and what price should be paid, which

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shall be equal to 50 percent of the net book value, plus 50 percent of the reproduction cost new less depreciation, adjusted based on the physical condition of the assets, in addition to any damages as specified in this section. Such value shall be estimated without enhancement on account of future earning capacity or good will, or of exclusive privileges derived from rights in the public ways. Such price shall include damages, if any, which the department finds would be caused by the severance of the property proposed to be included in the purchase from other property of the owner, including (1) stranded costs; (2) the capital costs of infrastructure reconfiguration or additions caused by the severance; (3) engineering costs; and (4) any other costs incurred in preparing for the reconfiguration and the sale. Such property shall include such portion of the property within the limits of such municipality as is suitable for, and used in connection with, the distribution of electricity within such limits. If any such property is subject to any mortgages, liens or other encumbrances, the department in making its determination shall provide for the deduction or withholding from the purchase price, pending discharge, of such sum or sums as it deems proper.

(d) The department, after notice to the parties, shall give a hearing thereon and make the determination aforesaid.

(e) Within 60 days after such determination shall have been made by the department, the distribution company shall tender to the municipality's city or town clerk a copy of a good and sufficient deed of conveyance for the property required by the department to be purchased, and shall then place said deed in escrow. The municipality shall have 300 days in which to accept or reject said tender and, if accepting, to pay to the distribution company the price determined by the department. Such acceptance or rejection in case of a city shall be by vote of its city council and in case of a town shall be by vote at a town meeting, or by such town officer or body to which town meeting shall delegate such authority.

(f) In connection with the exercise by a municipality of the option to purchase utility plant pursuant to this section, the municipality may elect to assume responsibilities for maintenance, placement and removal of jointly-owned poles or other facilities shared with other public utilities, or to purchase such facilities at an amount equal to 50 percent of the net book value, plus 50 percent of the reproduction cost new less depreciation, adjusted based on the physical condition of the assets. Except where the municipality makes such election, the municipality shall assume the rights and obligations of the previous owner with respect to any person other than the distribution company controlling or using the poles, conduit or other jointly-owned or joint-use facilities, property and rights; provided, that in the assumption of the rights and obligations of the previous owner by such a municipality, such municipality shall in no way or form restrict, impede, or prohibit access that other parties would enjoy under the previous ownership.

(g) Any municipal lighting plant established pursuant to these provisions shall file with the department a plan for supporting development of renewable and alternative energy production comparable to the magnitude of such support achieved under sections 11F and 11F½ of chapter 25A, sections 138 through 143, and section 83 of chapter 169

of the acts of 2008. Following department approval of such plan, the municipal lighting plant shall implement that plan and report annually to the department regarding such implementation.

(h) The department shall not allow as a cost of service any costs of the incumbent distribution company in connection with such proceedings, in excess of the costs reasonably necessary to provide information, negotiate necessary contractual arrangements, and represent the interests of the remaining ratepayers in designing any severance plan required.

(i) If, at the time of purchase of the distribution equipment by a municipality, the distribution company has unfunded liabilities for pensions and other post-retirement benefits that would be recovered through distribution rates, the department shall determine the fair share of such liabilities attributable to the distribution system to be acquired by the municipality and the method by which the municipal lighting plant shall compensate the distribution company for that fair share.

(j) To the extent that the distribution company has entered into any long term contracts for renewable energy pursuant to section 83 of chapter 169 of the acts of 2009 prior to the date of the acquisition, the municipality acquiring any electric distribution facilities pursuant to this section shall be required to assess its distribution customers an equivalent charge in distribution rates to cover its proportionate share of the monthly costs of such contracts, as would have been charged to the electric distribution customers in such municipality had the acquisition not occurred. Such amounts collected shall then be remitted to the electric distribution company within thirty days of being invoiced by the electric distribution company.

(k) The department shall report to the joint committee on telecommunications, utilities and energy annually on the operation of this section, including a summary of activity under this section and any recommendations for amending the section.

SECTION 66. Said chapter 164 is hereby further amended by inserting after section 56E the following section:—

Section 56F. The department is hereby authorized to promulgate rules and regulations to establish service quality standards for municipal light plants formed after July 31, 2012, including, but not limited to, standards for customer satisfaction, service outages, distribution facility upgrades, repairs and maintenance, telephone service, billing service, and public safety provided. Each municipal light plant formed after July 31, 2012 shall file a report with the department by March first of each year comparing its performance during the previous calendar year to the department's service quality standards and any applicable national standards as may be adopted by the department.

SECTION 67. Section 47A of said chapter 164 is hereby amended by inserting after the word 'plant', in line 1, the words:— formed prior to July 31, 2012.

SECTION 68. Said section 47A of chapter 164 is hereby further amended by inserting after the word 'plant', in line 6, the words:— formed prior to July 31, 2012.

SECTION 69. Said section 47A of said chapter 164 is hereby further amended by inserting after subsection (f) the following subsection:—

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(g) No municipal lighting plant shall prohibit customers within the service territory of said lighting plant from engaging in third-party ownership agreements of residential renewable energy equipment for the generation of energy to be used at the customer's residence.

SECTION 70. Notwithstanding any general or special law to the contrary, municipal light plants formed prior to July 31, 2012 may count existing eligible renewable energy generating sources and alternative energy generating towards compliance with sections 11F and 11F½ of chapter 25A.

SECTION 71. The executive office of energy and environmental affairs is hereby authorized to adopt rules and regulations necessary to carry out this Act.

SECTION 72. Sections 49, 51, 52, 61 through 63 shall take effect July 1, 2013.”.

Pending the question on adoption of the amendment, Mr. Winslow moved that it be amended by striking out proposed sections 49 to 72, inclusive, and inserting in place thereof the following 19 sections:

“SECTION 49. The first sentence of section 19 of chapter 25 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘plant’ the words:— formed prior to July 31, 2012.

SECTION 50. Said section 19 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 5, the following words:— participating municipal lighting plants.

SECTION 51. Section 20 of said chapter 25, as so appearing, is hereby amended by inserting after the word ‘plant’, in line 3, the words:— formed prior to July 31, 2012.

SECTION 52. Said section 20 of chapter 25 is hereby further amended by inserting after the word ‘plant’, in line 10, the words:— formed prior to July 31, 2012.

SECTION 53. Section 21 of said chapter 25 is hereby amended by inserting after the word ‘companies’, in line 9, the words:— municipal light plants formed after July 31, 2012.

SECTION 54. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 77, the words:— municipal light plants.

SECTION 55. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 81, the words:— municipal light plants.

SECTION 56. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 83, the words:— municipal light plants.

SECTION 57. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 85, the words:— municipal light plants formed after July 31, 2012.

SECTION 58. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘companies’, in line 93, the words:— and municipal light plants.

SECTION 59. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘company’, in line 105, the words:— municipal light plant.

SECTION 60. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘company’, in line 108, the words:— municipal light plant.

SECTION 61. Said section 21 of chapter 25 is hereby further amended by inserting after the word ‘company’, in line 110, the words:— municipal light plant.

SECTION 62. Section 1B of chapter 164 of the General Laws, as so appearing, is hereby amended by adding to the end of subsection (a) the following:— except that the purchase by a municipality of plant from a distribution company shall transfer all rights and obligations established in this section to the municipal lighting plant of the purchasing municipality or cooperative.

SECTION 63. Said chapter 164 is hereby amended by striking out section 43, as so appearing, and inserting in place thereof the following section:—

Section 43. (a) If a municipality which votes to establish a municipal lighting plant fails, within 150 days from the passage of the final vote required by section 35 or 36, to agree, as to price or as to the property to be included in the purchase, with a distribution company currently serving such municipality, such municipality may apply to the department within 180 days after the expiration of said 150 days for review of the feasibility of the municipality’s acquisition of such property. The municipality’s filing shall include:

- (1) an outline of the property the municipality wishes to acquire;
- (2) a projection of purchase price of such property;
- (3) a projection of total costs of establishing the municipal lighting plant;
- (4) a financing plan to cover the purchase price, including a description of municipality’s bonding ability;
- (5) pro forma income statement and balance sheet for the municipal lighting plant;
- (6) the options for governance of the municipal lighting plant approved or anticipated by the municipality, and;
- (7) a projection of electric rates to be charged by the municipal lighting plant.

(b) The department may investigate the feasibility of the municipality’s proposed acquisition, and shall, within 180 days of the filing and after notice and a public hearing, issue a report regarding the feasibility of the municipality’s filing; provided, however, that the department is not required to issue more than 3 such reports in any contiguous 12-month period. Any reports that are not issued within 180 days of the filing shall be issued in the order of the filings. If multiple municipalities file with the stated intent of establishing a joint or cooperative system of municipal lighting plants, the department shall process such filing simultaneously, to the extent possible. The department shall transmit its report to the distribution company, the clerk of each such town and the department of energy resources. The department shall report to the general court the results of its findings and file such reports with the clerks of the house of representatives and the senate, who shall forward the same to the joint committee on telecommunications, utilities and energy. The department may assess reasonable fees

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to fund its responsibilities under this subsection from each municipality submitting a filing for a proposed acquisition.

(c) Upon the issuance of the department's report, the municipality may seek determination as to what property ought in the public interest to be included in the purchase and what price should be paid, which shall be based on the standard formula developed by the department in subsection (d). Such value shall be estimated without enhancement on account of future earning capacity or good will, or of exclusive privileges derived from rights in the public ways. Such price shall include damages, if any, which the department finds would be caused by the severance of the property proposed to be included in the purchase from other property of the owner, including (1) stranded costs; (2) the capital costs of infrastructure reconfiguration or additions caused by the severance; (3) engineering costs; and (4) any other costs incurred in preparing for the reconfiguration and the sale. Such property shall include such portion of the property within the limits of such municipality as is suitable for, and used in connection with, the distribution of electricity within such limits. If any such property is subject to any mortgages, liens or other encumbrances, the department in making its determination shall provide for the deduction or withholding from the purchase price, pending discharge, of such sum or sums as it deems proper. The department may assess reasonable fees to fund its responsibilities under this subsection from each municipality seeking such determination for a proposed acquisition.

(d) No later than December 31, 2012 the department shall develop a standard formula used to determine the value of property, including any jointly-owned poles or other facilities shared with other public utilities, to be purchased by any municipality seeking to establish a municipal lighting plant under this section. Such formula shall be used by the department in all determinations of property value performed under subsections (c) and (g) of this section, provided, however, that the department may make reasonable exceptions to the formula in specific transactions.

(e) The department, after notice to the parties, shall give a hearing thereon and make the determination aforesaid within 180 days from the municipality's application.

(f) Within 60 days after such determination shall have been made by the department, the distribution company shall tender to the municipality's city or town clerk a copy of a good and sufficient deed of conveyance for the property required by the department to be purchased, and shall then place said deed in escrow. The municipality shall have 300 days in which to accept or reject said tender and, if accepting, to pay to the distribution company the price determined by the department. Such acceptance or rejection in case of a city shall be by vote of its city council and thereafter ratified by a majority of the voters at an annual or special city election, and in case of a town shall be by vote at a town meeting, or by such town officer or body to which town meeting shall delegate such authority, and thereafter ratified by a majority of voters at an annual or special town election.

(g) In connection with the exercise by a municipality of the option to purchase utility plant pursuant to this section, the municipality may elect to assume responsibilities for maintenance, placement and

removal of jointly-owned poles or other facilities shared with other public utilities, or to purchase such facilities at a price set by the department, which shall be based on the standard formula developed by the department in subsection (d). Except where the municipality makes such election, the municipality shall assume the rights and obligations of the previous owner with respect to any person other than the distribution company controlling or using the poles, conduit or other jointly-owned or joint-use facilities, property and rights; provided, that in the assumption of the rights and obligations of the previous owner by such a municipality, such municipality shall in no way or form restrict, impede, or prohibit access that other parties would enjoy under the previous ownership.

(h) Any municipal lighting plant established pursuant to these provisions shall file with the department a plan for supporting development of renewable and alternative energy production comparable to the magnitude of such support achieved under sections 11F and 11F½ of chapter 25A, sections 138 through 143, and section 83 of chapter 169 of the acts of 2008. Following department approval of such plan, the municipal lighting plant shall implement that plan and report annually to the department regarding such implementation.

(i) The department shall not allow as a cost of service any costs of the incumbent distribution company in connection with such proceedings, in excess of the costs reasonably necessary to provide information, negotiate necessary contractual arrangements, and represent the interests of the remaining ratepayers in designing any severance plan required.

(j) If, at the time of purchase of the distribution equipment by a municipality, the distribution company has unfunded liabilities for pensions and other post-retirement benefits that would be recovered through distribution rates, the department shall determine the fair share of such liabilities attributable to the distribution system to be acquired by the municipality and the method by which the municipal lighting plant shall compensate the distribution company for that fair share.

(k) To the extent that the distribution company has entered into any long term contracts for renewable energy pursuant to section 83 of chapter 169 of the acts of 2008 prior to the date of the acquisition, the municipality acquiring any electric distribution facilities pursuant to this section shall be required to assess its distribution customers an equivalent charge in distribution rates to cover its proportionate share of the monthly costs of such contracts, as would have been charged to the electric distribution customers in such municipality had the acquisition not occurred. Such amounts collected shall then be remitted to the electric distribution company within thirty days of being invoiced by the electric distribution company.

(l) The department shall report to the joint committee on telecommunications, utilities and energy annually on the operation of this section, including a summary of activity under this section and any recommendations for amending the section.

SECTION 64. The first sentence of section 47A of said chapter 164 is hereby amended by inserting after the word 'law' the words:— formed prior to July 31, 2012.

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SECTION 65. Said section 47A of chapter 164 is hereby further amended by inserting after the word ‘law’, in line 7, the words:— formed prior to July 31, 2012.

SECTION 66. Said section 47A of chapter 164 is hereby further amended by inserting after subsection (f):—

(g) Any municipal light plant formed after July 31, 2012, shall submit to the department a plan for allowing retail customers served by it competitive choice of generation supply. Such plan shall allow any customers purchasing competitive generation supply at the plan’s effective date to continue such purchase, and shall regulate migration of customers to and from competitive service only as necessary to protect the financial integrity of the municipal light plant while providing power to municipal-utility generation customers at the lowest feasible stable prices.

SECTION 67. Said chapter 164 is hereby further amended by inserting after section 56E the following section:—

Section 56F. The department is hereby authorized to promulgate rules and regulations to establish service quality standards for municipal light plants formed after July 31, 2012, including, but not limited to, standards for customer satisfaction, service outages, distribution facility upgrades, repairs and maintenance, telephone service, billing service, and public safety provided. Each municipal light plant formed after July 31, 2012 shall file a report with the department by March first of each year comparing its performance during the previous calendar year to the department’s service quality standards and any applicable national standards as may be adopted by the department.

SECTION 68. The executive office of energy and environmental affairs is hereby authorized to adopt rules and regulations necessary to carry out sections 45 through 63 of this Act, inclusive.”

Point of order.

Mr. O’Day of Worcester thereupon raised a point of order that the further amendment offered by the gentleman from Norfolk was improperly before the House for the reason that it was beyond the scope of the pending bill.

The Chair (Mrs. Haddad of Somerset) ruled that the point of order was well taken, and the further amendment was laid aside accordingly.

Appeal from decision of Chair.

Mr. Winslow of Norfolk thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Bastien of Gardner.

The question then was put “Shall the decision of the Chair stand as the judgment of the House?”

Decision of Chair sustained,— yea and nay No. 289.

After remarks the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 119 members voted in the affirmative and 34 in the negative.

[See Yea and Nay No. 289 in Supplement.]

Therefore the decision of the Chair was sustained.

Point of order.

Mr. O’Day of Worcester thereupon raised a point of order that the pending amendment offered by the gentleman from Norfolk was improperly before the House for the reason that it was beyond the scope of the pending bill.

The Chair (Mrs. Haddad of Somerset) ruled that the point of order was well taken, and the amendment was laid aside accordingly.

Ms. Provost of Somerville moved that the bill be amended adding the following five sections:

“SECTION 49. Chapter 10 of the General Laws is hereby amended by inserting after section 3500 the following section:—

Section 35PP. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Oil Heat Energy Efficiency Fund. The fund shall consist of amounts credited to the fund in accordance with sections 11J of chapter 25A and expended exclusively for the purposes of said section 11J of said chapter 25A. The fund shall be administered by the commissioner of energy resources, pursuant to section 11J(b) of chapter 25A, in coordination with the secretary of administration and finance. The fund shall be an expendable trust fund and shall not be subject to appropriation or allotment. The commissioner shall report monthly by source all amounts credited to the fund and all expenditures by subsidiary made from the fund on the Massachusetts management and accounting reporting system. Amounts remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure by the fund in the next fiscal year and thereafter.

SECTION 50. Chapter 25A of the General Laws is hereby amended by adding after section 11I the following new sections:—

Section 11J. (a) For the purposes of section 11J, the following terms shall have the following meanings:

‘Fuel oil industry’ or ‘oil heat industry,’ persons in the production, transportation, or sale of oil heat fuel; and persons engaged in the manufacture or distribution of oil heat fuel utilization equipment; provided that ‘fuel oil industry’ or ‘oil heat industry’ shall not include ultimate consumers of oil heat fuel.

‘No. 1 distillate,’ fuel oil classified as No. 1 distillate by the American Society for Testing and Materials (ASTM).

‘No. 2 dyed distillate,’ fuel oil classified as No. 2 distillate by the American Society for Testing and Materials (ASTM) that is indelibly dyed in accordance with regulations prescribed by the Secretary of the Treasury under section 4082(a) (2) of the Internal Revenue Code of 1986.

‘Cost Effective,’ with respect to an energy efficiency program, means that the program meets a cost-benefit test, which requires that the net present value of economic benefits over the life of the program or measure, including avoided supply and delivery costs and deferred or avoided investments, environmental benefits and avoided environmental costs, avoided operation and maintenance costs and other appropriate energy and non-energy benefits as determined by the department, is greater than the net present value of the costs over the life of the program.

‘Energy Efficiency Advisory Council (EEAC),’ refers to the energy efficiency advisory council established pursuant to section 22 of chapter 25 of the general laws.

‘Oil heat fuel,’ No.1 distillate and No.2 dyed distillate that is used as a fuel for residential or commercial space or hot water heating.

‘Retail marketer,’ a person engaged primarily in the sale of oil heat fuel to ultimate consumers.

‘Wholesale distributor,’ a person or business entity that produces No. 1 distillate or No. 2 dyed distillate; imports No. 1 distillate or No. 2 dyed distillate; blends No. 1 distillate or No. 2 dyed distillate with

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bio diesel or bio fuels; or transports No. 1 distillate or No. 2 dyed distillate across state boundaries or among local marketing areas; and sells the products to retail home or commercial heating oil companies for resale.

(b)(1) Beginning June 1, 2013, the department shall require a systems benefit assessment of two and one-half cents (\$.025) per gallon be placed on all gallons of oil heat fuel sold for residential or commercial use in Massachusetts in order to establish oil heat energy efficiency programs. The assessment shall be collected at the point of sale of oil heat fuel by a wholesale distributor to a person other than a wholesale distributor, including a sale made pursuant to an exchange. A wholesale distributor shall be responsible for payment of the assessment to the Commonwealth on a quarterly basis; and shall provide to the Commonwealth certification of the volume of fuel sold. No. 1 distillate and No. 2 dyed distillate fuel sold for uses other than as oil heat fuel are excluded from the assessment. Distillate fuel used by vessels, railroad, utilities, farmers and the military are exempt from the assessment.

(2) Such funds shall be deposited by the secretary of administration and finance into the Oil Heat Energy Efficiency Fund pursuant to section 35PP of chapter 10. The Fund shall be expended by the commissioner of energy resources, pursuant to this section, and subject to the approval of the energy efficiency advisory council (EEAC) for the sole purpose of designing, marketing and providing cost-effective energy efficiency programs through financial incentives and services for residential and small business demand-side management programs that improve energy efficiency and reduce consumption for residential and commercial customers who utilize oil heat fuel for space heat or domestic hot water heating, including but not limited to: replacing or upgrading older, inefficient oil heating or domestic hot water systems; duct sealing and insulation, pipe insulation, building envelope sealing and insulation; storm windows; blower door air sealing services; research and design; and marketing of oil heat efficiency products or services. Program design for envelope measures and measures that will save electricity or natural gas, in addition to oil heat, shall be conducted by the EEAC and the program administrator(s), and result in integrated programs that serve all customers, regardless of heating fuel type. Program design elements that result in savings of multiple fuels shall be funded from the oil heat efficiency trust in an equitable manner and in proportion to the oil heat savings generated. No more than one percent (1%) of such funds may be used for training. No more than one percent (1%) of such funds may be allocated to the department for administration of the fund and coordination of the programs. Program design for heating system programs shall be conducted by EEAC and the program administrator(s), provided, however, that under the programs, an oil heating system shall be replaced with a new oil heating system. The commissioner shall act as the fiscal agent responsible with ensuring these services are delivered as approved by the EEAC and in a cost effective manner that is coordinated with other energy efficiency programs.

At least 20 percent of the funds collected shall be spent on comprehensive low-income residential oil heat energy efficiency and educa-

tion programs. The commissioner shall designate that these programs be implemented through the low income weatherization and fuel assistance program network administered by the department of housing and community development.

(c) (1) The EEAC shall advise the department on all aspects of oil energy efficiency funds and programs in the commonwealth. Actions of the EEAC pertaining to disbursement of the oil heat efficiency funds and programs shall require a majority vote.

The EEAC shall establish a target budget designed to ramp-up over time to capture cost-effective energy efficiency for heating oil, and a corresponding annual assessment designed to recover enough money to fund the programs.

(2) To implement this section, the commissioner, with the approval of the EEAC and, is hereby directed and authorized to enter into contracts with appropriate organization(s) to serve as energy efficiency program administrator(s), selected through a competitive procurement process, to deliver and operate, in a cost-effective manner, oil heat energy efficiency programs to be provided by retail heating oil dealers and other business entities, organizations and agencies with qualified technical personnel including oil heat technicians in good standing with the Commonwealth in possession of a certificate of competency as defined by Code of Massachusetts Regulation (CMR) 527 CMR 4.00. Programs shall be approved by the EEAC and shall be delivered in a cost effective manner that is coordinated with other energy efficiency programs.

(3) Every 3 years, in a manner consistent with natural gas and electric efficiency plans set forth in section 21 of chapter 25, on or before April 30, the program administrators shall jointly prepare an oil heat efficiency investment plan for approval by the department and the EEAC. Each plan shall provide for the acquisition of energy efficiency resources that are cost effective or less expensive than supply and shall be prepared in coordination with the energy efficiency advisory council established by section 22 of chapter 25. A program included in the plan shall be screened through cost-effectiveness testing which compares the value of program benefits to the program costs to ensure that the program is designed to obtain energy savings and system benefits with value greater than the costs of the program. Program cost effectiveness shall be reviewed periodically by the department and by the EEAC. If a program fails the cost-effectiveness test as part of the review process, it shall either be modified to meet the test or shall be terminated. The EEAC may allow for transitional, one year plans in order to achieve consistency with section 21 of chapter 25.

An investment plan shall include: (i) an assessment of the estimated lifetime cost, reliability and magnitude of all available energy efficiency resources that are cost effective or less expensive than supply; (ii) the estimated energy cost savings that the acquisition of such resources will provide to oil heat consumers, including, but not limited to, reductions in energy costs and increases in price stability and affordability for low-income customers; (iii) a description of programs, which may include, but which shall not be limited to: (A) efficiency programs; (B) programs for research, development and commercialization of products or processes which are more energy-efficient than

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those generally available; (C) programs for development of markets for such products and processes, including recommendations for new appliance and product efficiency standards; (D) programs providing support for energy use assessment, real time monitoring systems, engineering studies and services related to new construction or major building renovation, including integration of such assessments, systems, studies and services with building energy codes programs and processes, or those regarding the development of high performance or sustainable buildings that exceed code; (E) programs for planning and evaluation; and (F) programs for public education regarding energy; provided, however, that not more than 1 per cent of the fund shall be expended for items (B) and (C) collectively, without authorization from the advisory council; (iv) a proposed mechanism which provides performance incentives to the program administrator(s) based on their success in meeting or exceeding the goals in the plan; (v) the budget that is needed to support the programs; (vi) data showing the percentage of all monies collected that will be used for direct consumer benefit, such as incentives and technical assistance to carry out the plan.

(4) The program administrator(s) shall submit the investment plan to the EEAC. Not later than 90 days after the submission of a plan, the department and EEAC shall approve, modify and approve, or reject and require the resubmission of the plan accordingly.

(5) Programs shall be designed to treat all energy use in a building in a comprehensive and coordinated fashion across the state with maximum use of common program designs, integrated programs, and a common pool of energy efficiency vendors and contractors who can treat all energy use in a building comprehensively.

The financial incentives used in said programs may be a combination of low or zero interest loans or direct rebates and other financial incentives. The EEAC shall solicit input from the oil heat industry, consumer groups, and low income advocacy groups regarding the implementation of this section and delivery of all program services.

(6) The department shall issue regulations implementing this section within 1 year of enactment of this section and the commissioner shall enter into contracts within 6 months after such regulations have been made final.

(7) From time to time, the EEAC shall undertake, or cause to be undertaken, an assessment of cost effective oil heat energy efficiency resource potential in the commonwealth.

(8) Evaluation, monitoring, and verification of the efficiency programs shall be conducted by an independent third-party selected by the EEAC. Said independent third party shall report its findings to the EEAC, the joint committee on telecommunications, utilities, and energy, and the public through the department of energy resources. Allocations for independent third-party monitoring and other consulting services shall not exceed 1 per cent of the fund on an annual basis.

(9) The EEAC, in collaboration with the program administrator(s), shall prepare an annual report for submission to the joint committee on telecommunications, utilities, and energy and the public through the department of energy resources that includes, but is not limited to: a description of the amount and use of proceeds of the Oil Heat Energy Efficiency Fund collected under this section; a description of the cost

effective energy efficiency programs funded through such proceeds; the demonstration of consumer savings, cost-effectiveness, and the lifetime and annual energy savings achieved by the energy efficiency programs funded; and the lifetime and annual greenhouse gas emissions benefits achieved by energy efficiency programs funded.

SECTION 51. Chapter 25 of the General Laws is amended by in Section 21 by inserting after subsection (e) the following new subsections:—

(f) In implementing its energy efficiency plan, each electric and natural gas distribution company Program Administrator, the Oil Heat Energy Efficiency Program Administrator, and any other entity that receives public subsidy and provides energy efficiency services shall, in consultation with the Energy Efficiency Advisory Council, as defined by section 22 of chapter 25 of the General Laws, and subject to the approval of the Department of Public Utilities:

(1) Report aggregate residential and commercial ratepayer data for those who receive energy efficiency program benefits to the Department Of Energy Resources. The report shall specify for each zip code the number of participants served; energy efficiency measures provided; program and participant dollars spent per measure; energy savings per measure; and the number of participants that reside in rental units.

(2) Not later than January 1, 2013 and every January 1 and July 1 of each year thereafter, each electric, natural gas distribution company, and oil heat energy efficiency Program Administrator, and any other entity that receives public subsidy and provides energy efficiency services shall submit the data identified in Section (f)(1) to the Department Of Energy Resources.

(g) The Department Of Energy Resources shall establish and maintain a database to store and manage all energy efficiency program data collected under section (f) of chapter 25.

(h) The Department Of Energy Resources shall establish annual benchmarks for reaching the statewide goals and providing equitable access to historically harder-to-reach segments, including, but not limited to, residential rental properties, low and moderate-income homeowners and renters (those earning up to 120% state median income), communities whose primary language is not English, and small commercial businesses, which may not be participating at rates commensurate with the funds that they are paying into the programs as ratepayers.

(i) Not later than January 1, 2014 and every January 1 of each year thereafter, the Department Of Energy Resources shall provide a report to the Joint Committee on Telecommunications, Utilities and Energy, and the public through the department, demonstrating whether energy efficiency programs are reaching ratepayers and buildings equitably.

(j) The Department Of Energy Resources shall promulgate regulations to implement the requirements of this legislation within one year of enactment.

SECTION 52 Chapter 23J of the General Laws, as so appearing, is hereby amended in Section 5 by inserting at the end the following new paragraph:—

The center shall annually, no later than April 1, submit to the governor, the joint committee on telecommunications, utilities and energy,

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energy efficiency advisory council a report detailing the energy efficiency and green industry workforce development needs in the State. The report shall include:

(A) data on jobs created and demographic information about who is hired;

(B) recommended target hiring goals;

(C) average salaries and benefits information;

(C) recommended legislation to implement the proposed plan on a long-term basis.

SECTION 53. Section 7 of chapter 465 of the acts of 1980 is hereby amended by inserting after subsection (g) the following subsections:—

(h) A utility shall be exempt from the requirements of subsection (b) if said utility includes the Massachusetts residential conservation service as part of an efficiency investment plan prepared and submitted to the department in accordance with Section 21 of Chapter 25 of the General Laws.

(i) The department shall be exempt from the requirements of subsection (f) for any utility that includes the Massachusetts residential conservation service as part of an efficiency investment plan prepared and submitted to the department in accordance with Section 21 of Chapter 25 of the General Laws.”

After remarks the amendment was rejected.

Representatives Turner of Dennis and Peake of Provincetown moved that the bill be amended by inserting after section 44 (as published) the following new section:

“SECTION 49. Subsection (f) of Section 139 of Chapter 164 of the 2010 Official Addition of the General Laws as so appearing, is hereby amended by inserting after the word ‘megawatts’, in line 73, the following words:— provided, that a cooperative corporation organized under Section 136 of Chapter 164 of the 2010 Official Addition of the General Laws that is comprised solely of municipalities or other governmental entities may qualify as the customer of a net metering facility of a municipality or other governmental entity and such cooperative corporation may allocate the facility’s generating capacity to a municipality or other governmental entity with the written assent of (1) such municipality or other governmental entity and (2) the department. A municipality or governmental entity may not exceed 10 megawatts, whether as a customer of a net metering facility or from allocated generating capacity from such cooperative corporation.”

The amendment was rejected.

Mr. Chan of Quincy then moved to amend the bill by inserting after section 7 the following section:

“SECTION 7A. Said chapter 25 is hereby amended by inserting the following new section:—

Section 23. The department shall file with the House and Senate Clerks and the Joint Committee on Telecommunications, Utilities and Energy a report by March 1st of each year which is the compiling of 5 years historical comparison of the amount of electricity and gas utilized in the state, and total revenue collected from ratepayers. In addition, the report shall include, but is not limited to, the following information from each electric and gas distribution company,: the amount of electricity supplied and utilized, the amount of gas supplied

and utilized revenues collected from ratepayers, the total number of customers, the amount paid by each ratepayer class, the rate for each ratepayer class, service quality penalties paid or credited, storm related penalties, the number of employee employed, the number of call center employees and location of the call centers, the amount of renewable energy contracts, and the amount of renewable energy owned. The report should note any changes in the rate mechanism from year to year whether they be statutory, regulatory or other department authorization.”

The amendment was adopted.

Mr. Cantwell of Marshfield then moved to amend the bill by adding the following section:

“SECTION 49. The department of public utilities, in consultation with the department of energy resources shall study the feasibility, impacts and benefits of allowing electric distribution company customers to net meter their electricity use with hydrokinetic energy. After completing an analysis, the department shall recommend whether customers should be able to net meter their electricity use with hydrokinetic energy. The department shall submit a copy of the study to the clerks of the house of representatives and the senate who shall forward a copy of the study to the joint committee on telecommunications, utilities and energy by March 1, 2013.”

The amendment was adopted.

The Speaker being in the Chair,—

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 146 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 290.

[See Yea and Nay No. 290 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Provost of Somerville was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the previous quorum roll call I was absent from the House Chamber, on official business in another part of the State House, and was not aware that a quorum roll call was taking place.

Statement of
Ms. Provost
of Somerville.

Mr. Beaton of Shrewsbury and other members of the House then moved to amend the bill by adding the following section:

“SECTION 50. Chapter 21A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 23, the following new section:—

Section 24. (a) There shall be within the office an energy policy review commission, which shall be an independent public entity not subject to the supervision and control of the office or any other executive office, department, commission, board, bureau, agency or political subdivision of the commonwealth. The commission shall promote public transparency regarding the effectiveness of energy and electricity policies and programs implemented in the commonwealth. The commission shall be charged with researching and reviewing the economic

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and environmental benefits as well as the economic and electricity cost implications of energy and electricity policies in the commonwealth. The commission shall report to the legislature, as prescribed in this section, with recommendations on how to: (i) further expand the commonwealth's renewable energy portfolio and promote energy-efficiency; (ii) encourage business development and job creation; (iii) reduce the administrative costs associated with energy programs funded, in whole or in part, by the commonwealth, while maximizing the benefit of these programs; (iv) reduce the cost and volatility of electricity for commercial, industrial, and residential customers; and (v) increase electricity reliability while ensuring a diverse energy portfolio.

(b) (1) The commission shall consist of 17 persons, as follows: the secretary of energy and environmental affairs and the secretary of housing and economic development, both of whom shall serve as the co-chairs; the attorney general or her designee; the inspector general; the commissioner of the department of energy resources or his designee; the chair of the department of public utilities or her designee; 1 person appointed by ISO-New England; 1 person appointed by associated industries of Massachusetts; 2 persons who are experts in energy efficiency and 2 persons who are experts in renewable energy generation, 1 of whom shall be appointed by the speaker of the house, 1 of whom shall be appointed by the minority leader of the house, 1 of whom shall be appointed by the president of the senate, and 1 of whom shall be appointed by the minority leader of the senate; 5 persons appointed by the Governor, 1 of whom shall be a representative of a Massachusetts green business with 10 or fewer employees, 2 of whom shall be experts in energy economics, and 2 of whom shall be representatives of non-profit environmental organizations with intervention experience in department of public utilities proceedings.

(2) The members of the commission shall receive no compensation for their services, but shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(3) The powers of the commission shall include, but not be limited to: (i) using voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered or needed; (ii) competitively procuring an independent consultant, the cost of which may be assessed proportionately on each gas and electric company pursuant to section 11E of chapter 12 of the General Laws, to review and report the estimated or actual ratepayer cost and benefits of meeting legislative and administrative goals and requirements related to greenhouse gas reductions, energy efficiency, and renewable energy generation, (iii) recommending policies and making recommendations to agencies and officers of the state and local subdivisions of government to effectuate the changes outlined in section (a); (iv) enacting by-laws for the commission's own governance; and (v) holding regular public meetings, fact-finding hearings, and other public forums as the commission deems necessary.

(4) The commission may request from all state agencies such information and assistance as the commission may require.

(5) The commission shall issue a report which shall include, at minimum an analysis of the estimated or actual economic and environmen-

tal benefits, as well as economic cost, electricity cost, and implication for electricity reliability of: (i) implementing administrative, regulatory, and legislative rulemaking as it pertains to electricity and the structure of the wholesale electricity market; and (ii) meeting legislative and administrative goals and requirements related to greenhouse gas reductions, energy efficiency, and renewable energy generation.

In so doing, the commission shall at minimum research, evaluate, consider and report on: (i) the accuracy of metrics used to assess the success of programs established pursuant to Chapter 169 of the Acts of 2008; (ii) the accuracy of metrics used to assess the cost effectiveness of programs established pursuant to Chapter 169 of the Acts of 2008; (vi) the electricity cost implications and associated economic impact and benefits of scheduled increases in demand resources, aggregate net metering capacity, and renewable energy capacity (vii) the structure of the regional wholesale electricity market and its impact on retail electricity costs; and (ix) the overall impact of the Commonwealth's energy and electricity policies on economic growth in the Commonwealth, specifically net job creation and business development, establishment, and retention.

(c) (1) The commission shall consult with electric distribution companies, natural gas distribution companies, green businesses residing in the Commonwealth, and other interested parties, providing at least one opportunity for public comment, as well as the public review of the commission's draft report prior to filing the report with the legislature.

(2) The commission shall convene its first meeting within 90 days of the passage of this Act and shall file its report, along with any recommendations for legislative or regulatory reforms with the clerk of the house and the clerk of the senate, and with the house and senate chairs of the joint committee on telecommunications, utilities and energy, by July 1, 2013."

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Beaton; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Amendment
adopted,—
yea and nay
No. 291.

[See Yea and Nay No. 291 in Supplement.]

Therefore the amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 1 the following section:

“SECTION 1A. Section 19 of chapter 25 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(d) In addition to any other amounts derived from sources internal or external to Municipal Lighting Plants, for purposes of paying costs associated with energy efficiency and demand side management programs established by such Municipal Lighting Plants, amounts generated by the such municipal lighting plants under (1) the Forward Capacity Market program administered by ISO-NE, as defined in section 1 of chapter 164; and (2) cap and trade pollution control programs, including, but not limited to, and subject to section 22 of chapter 21A, amounts generated by the carbon dioxide allowance trading mechanism established under the Regional Greenhouse Gas Initiative Memorandum of Understanding, as defined in subsection (a) of section 22 of

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chapter 21A, and the NOx Allowance Trading Program equal to the percentage of each municipal lighting plants electricity sales relative to total electricity sales statewide shall be returned to such Municipal Lighting Plants for implementation of such aforementioned programs.

Amounts received under this subsection shall be allocated to customer classes, in proportion to their contributions to those amounts; provided, however, that at least 10 per cent of the amount expended for electric energy efficiency programs and at least 20 per cent of the amount expended for gas energy efficiency programs shall be spent on comprehensive low-income residential demand side management or municipal programs as determined by said municipal lighting plants. Subsection (c) shall not apply to municipal lighting plants. Any amounts distributed pursuant to and received by municipal lighting plants under this subsection shall not subject municipal lighting plants to any other general or special law.

Beginning with the 2013 annual Report to the Department of Public Utilities, Municipal Light Plants formed prior to July 31, 2012 shall include in such annual report information regarding expenditures for energy efficiency and demand side energy programs funded by this subsection.”.

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 51. Notwithstanding any general or special law to the contrary, the department of public utilities shall open a docket relative to increasing the transparency of electric bills sent to retail and commercial customers by electric or gas distribution companies. The department shall consider whether to require the consolidation of customer charges stemming from public policy programs, including, but not limited to energy efficiency and renewable energy generation programs established pursuant to chapter 169 of the acts of 2008, within a separate “system benefit” line-item on all electric and gas bills to reflect the rate charged to customers for such programs; provided, however, that this consideration include analysis of the itemization of any charge stemming from long-term contracts for renewable energy generation, transmission, and distribution pursuant to chapter 169 of the acts of 2008 and this act, and any charge stemming from net metering credits granted by a distribution company pursuant to chapter 164 of the General Laws. The department may also, alternatively, consider whether to increase the transparency of electric bills by requiring separately itemized rates on all electric and gas bills for charges stemming from said public policy programs. The department shall submit its findings along with any legislative recommendations to the joint committee on telecommunications, utilities and energy by June 1, 2013.”.

The amendment was adopted.

Mr. Kulik of Worthington moves to amend the bill in section 12

In line 68 by striking out the figure “5” and inserting in place thereof the figure “6” and

In line 74 by adding after the figures “164.” the following paragraph:

Any payment in lieu of taxes due under this clause shall be included in the tax base for purposes of determining the levy ceiling and levy limit under section 21C and in determining minimum residential factor

and classification of property under section 1A of chapter 58 and section 56 of chapter 40. The department of revenue may issue guidelines for implementing the provisions of this requirement consistent with preserving the payment in lieu of taxes amount in the local tax base.”; and by adding the following two sections:

“SECTION 52. The division of local services within the department of revenue shall study the impact and provide an estimate of the effect of the changes to chapter 59 of the General Laws contained in this act on municipal revenues. The division of local services shall submit a report detailing its findings to the clerks of the senate and the house of representatives, the chairs of the joint committee on telecommunications, utilities and energy, the chairs of the joint committee on revenue and the chairs of the joint committee on municipalities and regional government not later than 4 years after the effective date of this act.

SECTION 53. Sections 10, 11, 12, 13, 37 and 38 of this act shall be repealed on December 31, 2017.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Frost of Auburn; and on the roll call 131 members voted in the affirmative and 21 in the negative.

Amendments adopted.—
yea and nay
No. 293.

[See Ye and Nay No. 293 in Supplement.]

Therefore the amendments were adopted.

Subsequently a statement of Ms. Canavan of Brockton was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call, it was my intention to vote in the affirmative. However, I now find that, for some inexplicable reason, I was recorded in the negative.

Statement of
Ms. Canavan
of Brockton.

Subsequently a statement of Mr. Howitt of Seekonk was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call, it was my intention to vote in the affirmative. However, I now find that, for some inexplicable reason, I was recorded in the negative.

Statement of
Mr. Howitt
of Seekonk.

Representatives Ehrlich of Marblehead and Mr. Keenan of Salem then moved to amend the bill by striking out section 42 and inserting in place thereof the following two sections:

“SECTION 42. Each distribution company shall execute, and the department shall approve, long-term contracts for the purchase of capacity, energy or other attributes, with a term of no less than 15 years and a fixed price for the capacity and energy, provided the department finds, after public hearing and within nine months of the filing of the long-term contract with the department, that the purchase of capacity, energy or other attributes shall be from a proposed electric generation facility: (i) that is to be located on the site of a coal or oil-fired electric generation facility in the commonwealth that will be permanently retired and decommissioned prior to the commercial operation date of the proposed facility; (ii) that will have quick start capability that can facilitate the further development of intermittent renewable electric generation resources serving the commonwealth; (iii) whose developer, or an affiliate thereof, shall have committed to demolish the coal or oil-fired generation plant and to remediate the site

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of the existing and operating coal or oil-fired generation plant; and (iv) that such new facility is reasonably expected to result in net benefits in terms of costs to electricity customers in the commonwealth and the mitigation of environmental impacts including, but not limited to, site remediation and reduced greenhouse gas emissions in the commonwealth as well as reduced emissions of criteria pollutants and hazardous air pollutants for the commonwealth of Massachusetts. Any contract executed by the contracting distribution company shall provide for annual remuneration for such company of up to 4 per cent but no less than 2.75 per cent of the annual payments under the contract to compensate the company for accepting the financial obligation of the long-term contract, as determined by the department of public utilities at the time of contract approval. Distribution companies shall not be obligated to enter into long-term contracts pursuant to this paragraph that would, in the aggregate, exceed ten per cent of the total energy demand from all distribution customers in the service territory of the distribution company.

SECTION 42A. The department shall investigate and study the creation of an electric generation decommissioning fund for new electric generating facilities with a capacity of over 100MW built in the commonwealth after December 31, 2013, and shall study whether the state should require the filing of decommissioning plans for such facilities. The department shall submit a copy of the study to the clerks of the house of representatives and the senate who shall forward a copy of the study to the joint committee on telecommunications, utilities and energy by June 1, 2013.’

The amendment was adopted.

Mr. Madden of Nantucket and other members of the House then moved to amend the bill by adding the following section:

“SECTION 54. Section 11F of Chapter 25A of the General Laws, as so appearing is hereby amended by inserting the following:—

(j) Manufacturers of renewable energy products installed in the Commonwealth shall warranty compliance with state and municipal laws, ordinances and codes existing at the time of installation of new products or facilities, or modification of existing facilities, for a minimum of ten (10) years from the date of installation. Manufacturers shall (i) replace or repair said products at no cost to owners or operators of said facilities, or (ii) remove and replace said products with new products that are compliant with state and municipal laws then existing, or (iii) remove said non-compliant products at the manufacturer’s cost and reimburse the owner of said facility the full cost of the products and related installation, site preparation, removal and site restoration.”

The amendment was rejected.

Messrs. Walsh of Framingham and Conroy of Wayland then moved to amend the bill by adding the following section:

“SECTION 54. The department of public utilities shall promulgate rules and regulations requiring transmission companies to file and the department to approve vegetation management plans. Said plans shall also be filed with any affected municipality. Said plans shall include landscape management provisions which encourage to the greatest extent possible, the use of native species plants and shall consider local terrain including soil conditions and visual impacts. Prior to department approval, affected municipalities may comment on said plans.

Municipalities may file a complaint with the department if the transmission company does not comply with the terms of vegetation management plan.

Vegetation management plans shall be reviewed every four years and prior to approval the department shall hold a public hearing.

Transmission companies shall provide sixty days notice to affected abutters of the transmission lines, and said department, of actions to be performed pursuant to the vegetation management plan approved pursuant to this section. This notice shall also be sent to municipal officials of affected communities including but not limited to elected officials, selectmen, planning board members, and conservation commission members. Transmission companies shall be exempt from the requirements of this paragraph in preparation for an imminent emergency event.

In the course of maintaining reliability of power along transmission line right of ways, including easements covering private and public property, each transmission company shall restore deleteriously affected vegetation in the form of replanting of trees and other vegetation and shall complete stump grindings wherever trees have been cut to the stump such that the company partially restores the pre-vegetation management activity property value of affected property owners. This paragraph shall apply only to activity that has occurred after January 1, 2012 and prior to January 1, 2014 or the approval of a company's first vegetation management plan filed in accordance with this section."

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by inserting after section 9 the following four sections:

"SECTION 9A. Subsection (c) of section 11F of chapter 25A of the General Laws, as so appearing, is hereby amended by inserting after 'qualify'; in line 65, the following words:— however, new facilities having a capacity greater than 30 megawatts shall qualify as Class I renewable energy generating sources as prescribed by the department pursuant to subsection (j).

SECTION 9B. Subsection (c) of section 11F of chapter 25A of the General Laws, as so appearing, is hereby amended by striking, in line 66, the following words:— and (iii) no such facility shall involve pumped storage of water or construction of any new dam or water diversion structure constructed later than January 1, 1998.

SECTION 9C. Subsection (d) of section 11F of chapter 25A of the General Laws, as so appearing, is hereby amended by striking, in line 94, the following words:— pumped storage of water nor.

SECTION 9D. Section 11F of chapter 25A of the General Laws, as so appearing, is hereby amended by inserting, after subsection (i) the following new subsections:—

(j) The department shall adopt regulations allowing for each retail supplier, in satisfying its annual obligations under subsection (a), to provide a portion of the required minimum percentage of kilowatt-hours sales of energy generated by new renewable energy sources from energy generated by new hydroelectric facilities, or incremental new energy from increased capacity or efficiency improvements at existing hydroelectric facilities, having a capacity larger than 30 megawatts.

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The department may specify the maximum portion of the minimum percentage of kilowatt-hour sales from energy generated by new hydroelectric facilities having a capacity larger than 30 megawatts that satisfies a retail supplier's annual obligations under subsection (a); provided, however, that the department shall specify the maximum portion as a percentage of the minimum percentage of kilowatt-hour sales from new renewable energy generating sources that shall encourage the incorporation of hydroelectric generation, from new facilities larger than 30 megawatts or existing facilities larger than 30 megawatts that have a new increased capacity, in the commonwealth's renewable energy portfolio.

(k) No retail supplier shall be required to make alternative compliance payments pursuant to section 11F until the department has adopted regulations allowing for each retail supplier, in satisfying its annual obligations under subsection (a), to provide a portion of the required minimum percentage of kilowatt-hours sales of energy generated by new renewable energy sources from energy generated by new hydroelectric facilities as prescribed in subsections (b), (c), (d), and (j)."

The amendment was rejected.

Mr. Peterson of Grafton then moved to amend the bill by striking out section 32; and after remarks the amendment was rejected.

Mr. Donato of Medford being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by striking section 32 and inserting in the place thereof the following section:

"SECTION 32. Said chapter 169 is hereby further amended by inserting after section 83 the following section:—

Section 83A. Beginning on January 1, 2013, and continuing until December 31, 2016, all distribution companies in the commonwealth, as defined in section 1 of chapter 164 of the General Laws, shall be required twice in that time period to jointly solicit additional proposals from renewable energy developers and, provided reasonable proposals have been received, enter into additional cost-effective long-term contracts to facilitate the financing of renewable energy generation, apportioned among the distribution companies in accordance with this section. The timetable and method for solicitation and execution of such contracts shall be proposed by the distribution companies in consultation with the department of energy resources and shall be subject to review and approval by the department of public utilities. This long-term contracting obligation shall be separate and distinct from the electric distribution companies' obligation to meet applicable annual renewable portfolio standard, hereinafter referred to as RPS, requirements, under section 11F of chapter 25A of the General Laws.

A distribution company may fulfill its responsibilities under this section through individual competitive solicitations that are independent from the two joint solicitations for proposals from renewable energy developers and, provided reasonable proposals have been received, enter into cost effective long-term contracts to facilitate the financing of renewable energy generation in accordance with this section if, upon petition to the department of public utilities prior to the first joint solicitation, the department rules that a solicitation by an

individual distribution company would be more cost effective to ratepayers than said distribution company engaging in a joint solicitation.

For purposes of this section, a long term contract shall be a contract with a term of 10 to 20 years. In developing proposed long term contracts, the distribution companies shall consider multiple contracting methods, including long-term contracts for renewable energy certificates, hereinafter referred to as RECs, for energy, and for a combination of both RECs and energy. Beginning January 1, 2013, the electric companies shall jointly select a reasonable method of soliciting proposals from renewable energy developers using a competitive bidding process only. Distribution companies may use timetables and methods for the solicitation of competitively bid long-term contracts approved by the department of public utilities prior to January 1, 2013. A distribution company may decline to consider contract proposals having terms and conditions that it determines would require the contract obligation to place an unreasonable burden on the distribution company's balance sheet, and may structure its contracts, pricing, and/or administration of the products purchased to mitigate impacts on the balance sheet or income statement of the distribution company or its parent company, subject to the approval of the department of public utilities; provided that such mitigation shall not increase costs to ratepayers. The distribution companies shall consult with the department of energy resources and the attorney general's office regarding the choice of contracting methods and solicitation methods. All proposed contracts shall be subject to the review and approval of the department of public utilities.

The department of public utilities and the department of energy resources each shall adopt regulations consistent with this section. The regulations shall: (a) allow renewable energy developers to submit proposals for long-term contracts conforming to the contracting methods specified in the second paragraph; (b) require that contracts executed by the distribution companies under such proposals are filed with, and approved by, the department of public utilities before they become effective; (c) provide for an annual remuneration for each contracting distribution company of up to 4 per cent but no less than 2.75 per cent of the annual payments under the contract made by each distribution company to compensate the companies for accepting the financial obligation of the long-term contract, as determined by the department of public utilities at the time of contract approval; (d) to the extent there are significant transmission costs included in a bid, allow the department of public utilities to authorize the contracting parties to seek recovery of such transmission costs of the project through federal transmission rates, consistent with policies and tariffs of the federal energy regulatory commission, to the extent the department finds such recovery is in the public interest; and (e) require that the renewable energy generating source to be used by a developer under the proposal meet the following criteria: (1) have a commercial operation date, as verified by the department of energy resources, on or after January 1, 2013; (2) be qualified by the department of energy resources as eligible to participate in the RPS program, under said section 11F of said chapter 25A, and to sell RECs under the program; and (3) be determined by the department of public utilities to: (i) provide enhanced electricity

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reliability within the commonwealth; (ii) contribute to moderating system peak load requirements; (iii) be cost effective to Massachusetts electric ratepayers over the term of the contract; and (iv) where feasible, create additional employment and economic development in the commonwealth. As part of its approval process, the department of public utilities shall consider the attorney general's recommendations, which shall be submitted to the department of public utilities within 45 days following the filing of such contracts with the department of public utilities. The department of public utilities shall take into consideration both the potential costs and benefits of such contracts and shall approve a contract only upon a finding that it is a cost effective mechanism for procuring low cost renewable energy on a long-term basis taking into account the factors outlined in this section.

The joint solicitations required under this section shall be coordinated among the electric distribution companies by the department of energy resources. If distribution companies are unable to agree on a winning bid(s) pursuant to a solicitation under this section, the matter shall be submitted to the attorney general, in consultation with the department of energy resources and the department of public utilities, for a final, binding determination of the winning bid. The electric distribution companies shall each enter into a contract with the winning bidder(s) for their apportioned share of the market products being purchased from the project. The apportioned share shall be calculated and based upon the total energy demand from all distribution customers in each service territory of the distribution companies.

Distribution companies shall not be obligated to enter into long-term contracts under this section that would, in the aggregate, exceed 4 per cent of the total energy demand from all distribution customers in the service territory of the distribution company. As long as an electric distribution company has entered into long-term contracts in compliance with this section, it shall not be required by regulation or order or by other agreement to enter into additional long-term contracts; provided, however, that an electric distribution company may execute such contracts voluntarily, subject to the department of public utilities approval.

Ten per cent of the aggregate level of long-term contracts under this section shall be reserved for newly developed, small, emerging or diverse renewable energy distributed generation facilities, as determined by the department of energy resources, that are located within each distribution company's service territory. Notwithstanding any provision in this section to the contrary, each distribution company shall be required to solicit proposals for such distributed generation facilities separately through a competitive bidding process only. Distributed generation projects qualifying under this paragraph shall have a nameplate capacity no larger than 6 megawatts, shall not qualify as a Class I, II or III net metering facility, as defined in section 138 of said chapter 164, and shall not be eligible for solar renewable energy credits at the time of solicitation.

An electric distribution company may elect to use any energy purchased under such contracts for resale to its customers, and may elect to retain RECs for the purpose of meeting the applicable annual RPS requirements under said section 11F of said chapter 25A. If the energy

and RECs are not so used, such companies shall sell such purchased energy into the wholesale spot market and shall sell such purchased RECs through a competitive bid process. Notwithstanding the previous sentence, the department of energy resources shall conduct periodic reviews to determine the impact on the energy and REC markets of the disposition of energy and RECs under this section and may issue reports recommending legislative changes if it determines that actions are being taken that will adversely affect the energy and REC markets.

If a distribution company sells the purchased energy into the wholesale spot market and auctions the RECs as described in the fifth paragraph, the distribution company shall net the cost of payments made to projects under the long-term contracts against the proceeds obtained from the sale of energy and RECs, and the difference shall be credited or charged to all distribution customers through a uniform fully reconciling annual factor in distribution rates, subject to review and approval of the department of public utilities. The reconciliation process shall be designed so that a distribution company recovers all costs incurred under such contracts. If the RPS requirements of said section 11F of said chapter 25A should ever terminate, the obligation to continue periodic solicitations to enter into long-term contracts shall cease, but contracts already executed and approved by the department of public utilities shall remain in full force and effect.

This section shall not limit consideration of other contracts for RECs or power submitted by a distribution company for review and approval by the department of public utilities.

If this section is subject to a judicial challenge, the department of public utilities may suspend the applicability of the challenged provision during the pendency of the judicial action until final resolution of the challenge and any appeals, and shall issue such orders and take such other actions as are necessary to ensure that the provisions that are not challenged are implemented expeditiously to achieve the public purposes of this section.”

The amendment to adopted.

Mr. Jones and other members of the House then moved to amend the bill in section 26, in lines 236 to 242, inclusive, by striking out the paragraph contained in those lines; and the amendment was adopted.

Messrs. Madden of Nantucket and DiNatale of Fitchburg then moved to amend the bill by adding the following section:

“SECTION 55. Therefore be it resolved that there shall be a Special Commission on the Health Impacts of Wind Turbines on the citizens of the Commonwealth. Said Commission shall be comprised of the House and Senate Chairmen of the Joint Committee on Public Health as well as the House and Senate ranking minority members on the committee; the House and Senate Chairmen of the Joint Telecommunication and Energy Committee and the ranking House and Senate minority members; the Commissioner of the Department of Public Health or his designee; a scientist who shall be knowledgeable about the health affects of wind turbines who shall be appointed by the Governor; 3 epidemiologists, one who shall be appointed by the Governor, one by the Senate President and one by the Speaker of the House; the Director of the Barnstable County Department of Public Health; the Executive Director or designee of the Berkshire Regional Planning Commission;

Competitively
priced
electricity.

a municipal health agent to be appointed by the Massachusetts Association of Boards of Health; a member of the Massachusetts Medical Society who shall serve as chair; a member of the Massachusetts Municipal Association knowledgeable about the health effects of wind turbines; and 3 citizens of the Commonwealth living within 3000 feet of an operating wind turbine, one of each to be appointed by the Regional Planning Agencies of the counties of Barnstable, Berkshire and Worcester.

Said Commission shall convene within 30 days of the enactment of this bill and said Commission shall file a report no later than September 30, 2013. Said Commission shall study all facets of the health impacts of windmills, including but not limited to; the effects of low frequency noise on humans and animals, sleep disorders, difficulty with equilibrium, headaches, childhood night terrors, effects on the inner ear, learning and mood disorders, panic attacks, irritability, concentration, and memory, noise, flicker, proximity, size of wind turbine, and wind conditions. Said report shall make recommendations to the General Court on legislation designed to protect the health of the citizens of the Commonwealth which would include: an acceptable distance for siting a wind turbine project near dwellings, businesses, and municipal, commercial and residential property lines; an optimum wind turbine size and design that reduces or lessens health impacts; a recommendation as to whether wind turbine projects should be reviewed by local boards of health as part of the permitting process; and any other matter that may be determined of importance to enhance the protection of the public's health. Until the filing of said report by the Commission, no additional large scale (over 1.25 mw) wind turbines shall be approved for installation anywhere in the Commonwealth.”.

The amendment was rejected.

Mr. Dempsey of Haverhill then moved, there being no objection, to amend the bill

In section 2, in lines 6 and 7, by striking out the following: “and 5 largest commercial or industrial gas users”, in line 10, by inserting after the word “company” the words “, gas company”;

In section 14 (inserted by amendment), in line 82, by inserting after the word “construct” the words “or acquire”;

In section 17, in lines 130 to 133, inclusive, by striking out the following: “nothing in this section shall impact discounts for any low income customer class created by section 1F of this chapter. If, as a result of this section, the rate paid by any one customer class is impacted by more than 10 per cent, the department shall phase-in the resulting new rate over a period of not less than 3 years” and inserting in place thereof the following: “if the resulting impact for any one customer class would be more than 10 per cent, the change shall be accomplished on a phased-in, revenue neutral basis over a subsequent period with no more than 10 per cent increase occurring in any one year”;

In section 29, in line 259, by inserting after the word “to” the figures “310”;

In section 40, in line 421, by striking out the following: “Section 44” and inserting in place thereof the following: “Sections 28 and 29”; and

In section 41, in line 425, by inserting after the word “electric” the word “distribution”.

The amendments were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan of Salem; and on the roll call 135 members voted in the affirmative and 16 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 295.

[See Yea and Nay No. 295 in Supplement.]

Therefore the bill (Senate, No. 2214, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (for text of House amendment, see House, No. 4225).

The House Bill relative to natural gas leaks (House, No. 4199), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Natural
gas leaks.

Pending the question on passing the bill to be engrossed, Ms. Walz of Boston moved to amend it in line 47 by inserting after the word “gas” the words: “prevention of tree damage”; and the amendment was adopted.

Ms. Ehrlich of Marblehead then moved to amend the bill in line 11 by striking out the word “should” and inserting in place thereof the word: “shall”; and in line 14 by striking out the word “are” and inserting in place thereof the words “shall be”; and the amendments were adopted.

The same member then moved to amend the bill in lines 21, 22 and 23 by striking out the following: “Grade 1 and Grade 2” and inserting in the place thereof, in each instance, the following: “Grade 1, Grade 2, and Grade 3”; and the amendments were adopted.

Ms. Ehrlich then moved to amend the bill in line 25 by inserting after the word “official” the words “and any member of the General Court”; and the amendment was adopted.

After debate, Mr. Chan of Quincy moved to amend the bill in line 54 by striking out the word “reconcile” and inserting in place the words “adjust”; and by adding the following paragraph:

“The department shall not approve any plan under this section that would increase capital spending on the replacement of leak-prone natural gas pipes that would exceed 125% of the of such actual spending in the previous 12 months of said work plan submission. The department may promulgate rules and regulations in accordance with this section.”

The amendments were adopted.

On the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Ehrlich of Marblehead; and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 296.

[See Yea and Nay No. 296 in Supplement.]

Therefore the bill House, No. 4222, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at two o'clock P.M.

Mr. Peterson of Grafton then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-two minutes after seven o'clock P.M., (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at two o'clock P.M.

Thursday, June 28, 2012.

Met according to adjournment at two o'clock P.M.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Statement Concerning Representative Donato of Medford.

A statement of Mr. Rushing of Boston concerning Mr. Donato of Medford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Donato of Medford, is unable to be present in the House Chamber for today's sitting due to a previously scheduled personal commitment. His missing of roll calls today is due entirely to the reason stated. Statement concerning Mr. Donato of Medford.

Statement of Representative Timilty of Milton.

A statement of Mr. Timilty of Milton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of yesterday's sitting due to a previously scheduled commitment to be the graduation speaker for the Licensed Practical Nursing Program at Blue Hills Regional High School. Had I been present yesterday for the taking of roll calls numbered 293, 294, 295 and 296, I would have voted in the affirmative, in each instance. My missing of roll calls yesterday was due entirely to the reason stated. Statement of Mr. Timilty of Milton.

Statement Concerning Representative Winslow of Norfolk.

A statement of Mr. Jones of North Reading concerning Mr. Winslow of Norfolk was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Winslow of Norfolk, was unable to be present in the House Chamber for today's sitting due to his attending to a family matter. If he had been present he would have voted in the affirmative on Roll Call Nos. 298, 299 and 300. His missing of the roll call today was due entirely to the reason stated. Statement concerning Mr. Winslow of Norfolk.

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum. Quorum,—
yea and nay
No. 297.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 145 members were recorded as being in attendance.

[See Yea and Nay No. 297 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. Devers of Lawrence was spread upon the records as follows:

Statement of
Mr. Devers
of Lawrence.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous quorum roll call, I was absent from the House Chamber due to a previously scheduled dental appointment and therefore was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

Guests of the House.

Family of
Staff
Sergeant
Matthew
Albert
Pucino.

During the session, the Speaker declared a brief recess and introduced the parents and family of Staff Sergeant Matthew Albert Pucino, who made the ultimate sacrifice for his country on November 23, 2009, while on a combat patrol in the vicinity of Pashay Kala, Afghanistan, when an improvised explosive device struck his all-terrain vehicle, taking his life. The honored guests were present in the House Chamber to witness the passage of Senate bill number 2218, An Act designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino Bridges. They were the guests of Mr. Hunt of Sandwich.

Resolutions.

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

Congress,—
veterans
flag.

Resolutions (filed by Mrs. Campbell of Methuen) memorializing the Congress of the United States to pass legislation recognizing the Veterans Remembered Flag as a national symbol of service; and

Milford
High School,—
softball team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating the Milford High School Scarlet Hawks softball team on winning the Division I State Championship;

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

Orders.

The following order (filed by Ms. Peisch of Wellesley) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Education,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Friday, July 20, 2012, the time within which to make its final report on current Senate document numbered 176 and House documents numbered 1936 and 4003.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Peisch, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. O'Flaherty of Chelsea) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Friday, June 29, 2012, the time within which to make its final report on current House documents numbered 9, 11, 23, 24,27, 28, 29, 30, 31, 40, 41, 42, 382, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 524, 525, 526, 527, 528, 1274, 1275, 1276, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1835, 1836, 1837, 1838, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2684, 2793, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 3137, 3138, 3139, 3140, 3141, 3142, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3229, 3230, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3330, 3340, 3358, 3359, 3360, 3361, 3362, 3385, 3441, 3471, 3516, 3518, 3545, 3559, 3569, 3587, 3631, 3636, 3681, 3682, 3729, 3739, 3743, 3744, 3766, 3768, 3840, 3884, 3905, 3913, 3934, 3977, 3978, 3987, 4004, 4050, 4055, 4057, 4068 and 4069.

Judiciary,—
extension
of time for
reporting.

Judiciary,—
extension
of time for
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. O'Flaherty, the order was considered forthwith.

Pending question on the adoption of the order, the same member moved to amend it by striking out the date "Friday, June 29" and inserting in place thereof the date "Tuesday, July 31". The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Spiliotis of Danvers) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Municipalities
and Regional
Government,—
extension
of time for
reporting.

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Tuesday, July 31, 2012, the time within which to make its final report on current House document numbered 3317.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Spiliotis, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Ms. Kocot of Northampton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

State
Administration
and Regulatory
Oversight,—
extension
of time for
reporting.

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Tuesday, July 31, 2012, the time within which to make its final report on current Senate documents numbered 1563, 1575 and 1576 and House documents numbered 821, 828, 1735, 1736, 1737, 1753, 2587, 3031, 3040, 3041, 3043 and 3209.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kocot, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Acushnet,—
manufactured
housing.

By Mr. Koczera of New Bedford presented a petition (accompanied by bill, House, No. 4221) of Robert M. Koczera (by vote of the town) for legislation to establish rent board for the purpose of regulating rents for the use or occupancy of manufactured housing accommodations in the town of Acushnet; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Diane
Johnson,—
sick leave
bank.

By Mr. Koczera of New Bedford presented a petition (subject to Joint Rule 12) of Robert M. Koczera for legislation to establish a sick leave bank for Diane Johnson, an employee of the Department of Revenue; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending Joint Rule 12 be suspended. Under suspension

of the rules, on motion of Mr. Koczera, 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.

Mr. Pignatelli of Lenox presented a petition (subject Joint Rule 12) of William Smitty Pignatelli for legislation to require specially marked licenses for repeat operating under the influence offenders; and the same was referred, under Rule 24, to the committee on Rules.

Driving
under the
influence,—
special
licenses.

Papers from the Senate.

The House Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3911, amended) came from the Senate passed to be engrossed, in concurrence, with an amendments in section 1, in line 8, striking out the words “which may include” and inserting in place thereof the words “by means of”; in section 11, in line 114, striking out the words “commissioner of administration” and inserting in place thereof the words “secretary of administration and finance”; in section 114, in line 134, inserting after the word “for” the words “the sharing of regulatory information and for the licensing and application, by electronic or other means, of”; and by inserting before the enacting clause the following emergency preamble:

Banks,—
multi-state
licensing
system.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the participation of the division of banks in a multi-state licensing system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

A Bill relative to access to a decedent’s electronic mail accounts (Senate, No. 2313, amended in section 1, in line 5, after the word “certificate”, by striking out the word “or” and inserting in place thereof the word “and”, and in line 14, by inserting after the word “that” the words “if offered opt-out language, separate and distinct from the standard agreement or terms of service, whereby”) (on Senate bill No. 2205), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Decedents,—
electronic
mail
accounts.

A Bill authorizing the town of Ashburnham to dispose of certain equipment (Senate, No. 2271) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Ashburnham.

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 F. Jay Barrows relative to the Mansfield, Foxborough and Norton wastewater district. Under

Mansfield,
Foxborough
and Norton,—
wastewater
district.

Mansfield,
Foxborough
and Norton,—
wastewater
district.

suspension of the rules, on motion of Mr. Barrows of Mansfield, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Municipalities and Regional Government. Sent to the Senate for concurrence.

Reading,—
easement.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Reading to grant a utility easement over certain parcels of land in the town (House, No. 4170) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Health
services,—
access.

By Mr. Scibak of South Hadley, for the committee on Public Service, on petition, a Bill to increase access to health services (House, No. 2453). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Labor
rates.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 476 and House, No. 1212, a Bill reforming labor rates paid by insurance companies to auto repairers in the Commonwealth (House, No. 4218).

State
buildings,—
fire safety.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill to ensure fire safety in state buildings (House, No. 1550).

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

Emergency Measure.

Dementia-
specific
training.

The engrossed Bill providing for dementia-specific training for certain employees of long term care facilities (see House, No. 3947, 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 78 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 Speaker and sent to the Senate.

Matters Discharged from the Orders of the Day.

Henderson
Boat House.

The report (in part) of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2275) of the House

Bill establishing the social innovation financing trust fund and authorizing the lease of the Henderson Boat House (House, No. 4101) (for report, see House, No. 4219), was taken from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill; and it was accepted. Sent to the Senate for concurrence.

The Senate Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino Bridges (Senate, No. 2218), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Hunt of Sandwich.

Bourne,—
Matthew A.
Pucino
Bridges.

After remarks on the question on passing the bill to be engrossed, in concurrence, the sense of the House taken by yea and nays, at the request of the same member; and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 298.

[See Yea and Nay No. 298 in Supplement.]

Therefore the bill was passed to be engrossed, in concurrence.

The report (in part) of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2275) of the House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101) (for report, see House, No. 4200), was taken from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

General
Appropriation
Bill.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 147 members voted in the affirmative and 3 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 299.

[See Yea and Nay No. 299 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

The Senate Bill further regulating the probate code and establishing a trust code (see Senate, No. 2128, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Probate
code and
trust code.

Pending the question on passing the bill to be engrossed, in concurrence, the same member moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4223.

The amendment was adopted; and the bill (Senate, No. 2128, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Engrossed Bill.

Bill
enacted.

The engrossed Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino Bridges (see Senate, No. 2218) (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 Speaker and sent to the Senate.

Engrossed Bill — Land Taking — State Loan.

Henderson
Boat House.

The engrossed Bill establishing the social innovation financing trust fund and authorizing the lease of the Henderson Boat House (see House, No. 4219) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking-
state loan),—
yea and nay
No. 300.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution and this also being a “loan” bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call (Mrs. Haddad of Somerset being in the Chair) 146 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 300 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The Senate Bill designating the birthplaces of Michael Bartlett and Dr. Elliot P. Joslin in the town of Oxford (Senate, No. 2232), 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.

House bills

Third
reading
bills.

Relative to the management of town buildings, properties and facilities in the town of Foxborough (House, No. 4052) (its title having been changed by the committee on Bills in the Third Reading); and

Designating a certain overpass in the town of Yarmouth as the Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass (House, No. 4156);

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. Sent to the Senate for concurrence.

Emergency Measures.

Probate code
and
trust code.

The engrossed Bill further regulating the probate code and establishing a trust code (see Senate, No. 2128, 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 33 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

The engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), 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. General Appropriation Bill.

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 5 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

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.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-seven minutes after four o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, July 2, 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.

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

Thomas
Grimshaw.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Thomas Grimshaw on receiving the Eagle Award of the Boy Scouts of America;

Walter and
Merrie Lee
Conroy.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Walter and Merrie Lee Conroy on their fiftieth wedding anniversary; and

Kyle
Takakjian.

Resolutions (filed by Ms. Peake of Provincetown) honoring MCPO Kyle Takakjian for his twenty eight years of service to the United States Coast Guard Reserve;

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

Petitions.

Cohasset,—
land.

Mr. Bradley of Hingham and Senator Hedlund presented a joint petition (accompanied by bill, House, No. 4230) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the town of Cohasset be authorized to transfer and grant easements on certain parcels of land; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Cities and
towns,—
hazardous
materials
removal.

Representatives Poirier of North Attleborough and Ross of Attleboro presented a petition (subject Joint Rule 12) of Elizabeth A. Poirier, George T. Ross and others for legislation to authorize municipalities to establish certain property tax abatements for the assessment, containment and removal of oil or hazardous materials; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Tuesday, July 31, 2012 within which to make its final report on current Senate documents numbered 103, 104, 1943, 2049, 2239 and 2294, relative to consumer protection and professional licensure.

Consumer Protection and Professional Licensure,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Tuesday, July 31, 2012 within which to make its final report on current Senate document numbered 1927, relative to municipalities and local government issues.

Municipalities and Regional Government,—extension of time for reporting.

Under suspension of the rules, on motion of Ms. Spiliotis of Peabody, the order was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing sick leave bank for Susan Tremblay, an employee of the department of corrections (House, No. 4192). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Susan Tremblay,—sick leave bank.

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

Under suspension of the rules, on motion of the Mr. Jones of North Reading, the bill was read a second forthwith; and it was ordered to a third reading.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House No. 2610, a Bill further regulating the provision of electricity and other services in the Commonwealth (House, No. 4227).

Electricity,—regulate.

By the same member, for the same committee, on House, No. 2612, a Bill relative to retiring coal plants (House, No. 4226) [Representative Adams of Andover dissenting].

Coal plants.

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

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1670 and House Nos. 3047 and 3048, a Bill relative to utility service call centers (House, No. 4224).

Utility service call centers.

By the same member, for the same committee, on House, No. 1771, a Bill regarding regulation of directory assistance (House, No. 4228).

Directory assistance.

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

Emergency Measures.

Multi-state
banks,—
licensing.

The House Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3911, 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 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.

Michael W.
Regan,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Michael W. Regan, an employee of the Massachusetts Department of Transportation (see House, No. 4005), 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 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.

Id.

The engrossed Bill designating the birthplaces of Michael Bartlett and Dr. Elliot P. Joslin in the town of Oxford (see Senate, No. 2232) (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.

Third
reading
bill.

The Senate Bill further regulating business practices between motor vehicle dealers, manufacturers and distributors (Senate, No. 2162), 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.

House bills

Third
reading
bills.

Designating a certain section of state highway Route 2 in the city of Cambridge and town of Arlington as the James M. Gavin Memorial Highway (House, No. 913); and

Designating a certain section of state highway Route 35 in the city of Weymouth as the Stephen T. O'Donnell Memorial Highway (House, No. 3421) (its title having been changed by the committee on Bills in the Third Reading);

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.

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 twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Thursday, July 5, 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.

Distinguished Guests.

Cape Verdean
Officials.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Minister of Communities Fernanda Fernandes, Ambassador Fatima Veiga, and Consul General Pedro Graciano of the Republic of Cape Verde. They were the guests of Mr. deMacedo of Plymouth.

Guests of the House.

National
Cheng-Chi
University.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced, the Taiwanese Youth Ambassadors from National Cheng-Chi University, accompanied by teachers and chaperones. They were the guests of Messrs. Wong of Saugus and Smizik of Brookline.

Resolutions.

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

Jeremy
Burns.

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

Lucas
Canuel.

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

Jacob
Dionne.

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

Andrew
Gauthier.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Andrew Gauthier on receiving the Eagle Award of the Boy Scouts of America;

Keaton
Holappa.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Keaton Holappa on receiving the Eagle Award of the Boy Scouts of America;

Philip J.
Burr.

Resolutions (filed by Ms. Garlick of Needham) on the occasion of the induction of Philip J. Burr to the Medfield High School Hall of Excellence;

Sophia
O'Brien.

Resolutions (filed by Mr. Keenan of Salem) congratulating Sophia O'Brien on her retirement as Chief Probation Officer of the Middlesex Probate and Family Court; and

BSO,—
Tanglewood.

Resolutions (filed by Mr. Pignatelli of Lenox) celebrating the seventy-fifth anniversary of the Boston Symphony Orchestra at Tanglewood;

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 Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third

Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Trial Court of the Commonwealth submitting the annual report of the special task force established (under Section 134 of Chapter 131 of the Acts of 2010) detailing the final implementation plan of the Safe and Secure Waiting Area Task Force, was placed on file.

Courthouses,—
safe waiting
areas.

Annual Report.

The annual report of the Department of Youth Services (under the provisions of Section 16 of Chapter 123A of the General Laws) relative to sexually dangerous persons, was placed on file.

Sexually
dangerous
persons.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Coppinger of Boston and Senator Rush, a joint petition (accompanied by bill, House, No. 4231) of Edward F. Coppinger and Michael F. Rush (with the approval of the mayor and city council) for legislation to authorize the city of Boston to issue a seven day license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Boston,—
Irish Social
Club.

By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 4232) of Anne M. Gobi, Kimberly N. Ferguson and Stephen M. Brewer (by vote of the town) for legislation to establish the position of treasurer-collector in the town of Oakham. To the committee on Municipalities and Regional Government.

Oakham,—
treasurer-
collector.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (accompanied by bill, House, No. 4233) of Paul McMurtry and Michael F. Rush (by vote of the town) for legislation to exempt the position of deputy police chief of the town of Westwood from the provisions of the civil service law. To the committee on Public Service.

Westwood,—
civil
service.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The Senate Bill relative to competitively priced electricity in the Commonwealth (see Senate, No. 2214, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4225).

Competitively
priced
electricity.

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators Downing, Brewer and Hedlund had been appointed the committee on the part of the Senate.

Committee of
conference.

On motion of Mr. Keenan of Salem, the House insisted on its amendment; and concurred with the Senate in the appointment of a committee of conference. Representatives Keenan, Hogan of Stow and Beaton of Gardner were appointed the committee on the part of the House. Sent to the Senate to be noted.

Id.

Marshfield,—
land.

A Bill authorizing the exchange of certain parcels of land in the town of Marshfield (Senate, No. 2137, amended by adding the following paragraph:

“As a condition of the disposition of the above 2-acre parcel which was acquired with the assistance of a self help grant from the commonwealth, the town shall acquire for conservation, groundwater protection and water supply purposes a certain parcel of land shown on Marshfield assessors map as Lot F14-02-03 containing 5.05 acres, more or less, located off the unconstructed portion of Eames way.”) (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.

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:

House bills

Permitting.
Single-sex
schools.

To safeguard municipal permitting (printed as Senate, No. 76);
Providing for opportunities for single-sex schools and classes (House, No. 137);

Newbury,—
Hayden bridge.

Designating a certain bridge in the town of Newbury in honor of John B. Hayden (House, No. 1809);

Pools.

Relative to the transportation of swimming pools (House, No. 2650);
and

Funerals,—
lights.

Relative to funeral home transportation lights (House, No. 3390);
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.

Engrossed Bill.

Bill
enacted.

The engrossed Bill further regulating business practices between motor vehicle dealers, manufacturers and distributors (see Senate, No. 2162) (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.

Order.

Next
sitting.

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.

At twenty-four minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

Monday, July 9, 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 — Disapprovals and Recommendations of Amendments in General Appropriation Bill.

A message from His Excellency the Governor returning with his disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, board, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements [see House, No. 4200] (for message, see House, No. 4240), filed in the office of the Clerk on Sunday, July 8, was read. General Appropriation Bill,—disapprovals and amendments.

So much of the message as relates to the disapprovals were referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the sections returned with recommendations of amendments were referred, as follows:

Sections 35, 36, 39, 40, 41, 42, 43, 44, and 45 — Printed as House, No. 4236;

Sections 52, 53, 54, 173, 174, 175 176 and 228 — Printed as House, No. 4237;

Section 92 and 217 — Printed as House, No. 4238; and

Section 152 — Printed as House, No. 4239;

Severally, on motion of Mr. O'Day of West Boylston, to the committee on Bills in the Third Reading.

Messages from the Governor.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4241), was filed in the office of the Clerk on Sunday, July 8, 2012. Supplemental appropriation.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

A message from His Excellency the Governor recommending legislation relative to providing the terms of certain bonds to finance improvements to the Commonwealth's transportation system (House, No. 4235), was filed in the office of the Clerk on Tuesday, July 3, 2012. Transportation bonds,—terms.

The message was read; and it was referred, under Rule 17G, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets.

Price disclosure.

A message from His Excellency the Governor recommending legislation relative to price disclosure (House, No. 4234), was filed in the office of the Clerk on Tuesday, July 3, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Community Development and Small Businesses. Sent to the Senate for concurrence.

Petition.

Medford,—
alcoholic
beverages.

Messrs. Donato of Medford and Garballey of Arlington presented a petition (accompanied by bill, House, No. 4246) of Paul J. Donato, Patricia D. Jehlen and Sean Garballey (by vote of the town) relative to authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Papers from the Senate.

Tyringham,—
Police Chief
Peter Curtin.

The House Bill authorizing the town of Tyringham to continue the employment of the police chief, Peter Curtin (House, No. 3524, changed), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3, striking out the year “2012” (as changed by the committee on Public Service) and inserting in place thereof the year “2013”.

Under suspension of Rule 35, on motion of Mr. Pignatelli of Lenox, 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.

Hamilton
Development
Corporation.

The House Bill relative to Hamilton Development Corporation (House, No. 3710), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 17, in lines 432 to 437, inclusive, striking out the two sentences contained in those lines and inserting in place thereof the following two sentences: “Notwithstanding any general or special law to the contrary, the town, acting through the board of selectmen, may lease, for a term not to exceed 60 years, any improved or unimproved land owned by the town within the development zone. The terms and conditions of the lease shall be determined by the board of selectmen in consultation with the town manager; provided, however, those terms and conditions shall be for public purposes consistent with this act.”

Under suspension of Rule 35, on motion of Mr. Hill of Ipswich, 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.

Clifton
Watson,—

The House Bill establishing a sick leave bank for Mr. Clifton Watson, an employee of the Registry of Motor Vehicles (House, No. 4159,

amended), came from the Senate passed to be engrossed, in concurrence, with amendments in lines 3 and 5 (as changed by the House committee on Bills in the Third Reading) and in lines 9 and 10, striking out, in each instance, the words "of motor vehicles", in line 5, striking out the word "Watson's" and inserting in place thereof the word "Watson"; and striking out the title and inserting in place thereof the following title: "An Act establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles." sick leave bank.

Under suspension of Rule 35, on motion of Mr. Scibak of South Hadley, 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 following notice was received from the Clerk of the Senate, to wit:—

July 9, 2012.

The Honorable Robert A. DeLeo
Speaker of the House of Representatives
 Room 356, State House
 Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you of the following:

That Senator Baddour had resigned from the committee of conference on the disagreeing votes of the two branches with reference to Senate amendment of the House Bill relative to sentencing and improving law enforcement tools (House, No. 3818, amended), and that Senator Flanagan had been appointed to said committee to fill the vacancy; and Conference committee,—Senate changes.

That Senator Baddour had resigned from the committee of conference on the disagreeing votes of the two branches with reference to House amendments of the Senate Bill improving the administration of state government and finance (Senate, No. 1940), and that Senator Spilka had been appointed to said committee to fill the vacancy.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Diane Johnson, an employee of the Department of Revenue (House, No. 4229). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Diane Johnson,—sick leave bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Northborough,—
parkland. By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Northborough to convey certain parklands to abutters (House, No. 4075) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sharon,—
land. By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the transfer of land in the town of Sharon (House, No. 3794), ought to pass [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Children
and families,—
services. By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill regarding families and children engaged in services (Senate, No. 1963), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4244.

Caterers,—
licenses. By the same member, for the same committee, that the Senate Bill providing for annual caterer's licenses for the service of alcoholic beverages at private functions (Senate, No. 2063), 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 4245.

Repair
contracts. By the same member, for the same committee, that the Bill relative to renovation and repair contracts (House, No. 1392), ought to pass with an amendment by substituting therefor of a bill with the same title (House, No. 4242).

Third grade
reading
proficiency. By the same member, for the same committee, that the Bill relative to third grade reading proficiency (House, No. 4152), ought to pass with an amendment by substituting therefor of a bill with the same title (House, No. 4243).

Severally 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.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

Children,—
placement. By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill requiring child and parent involvement in permanency and placement planning (House, No. 61, changed), be scheduled for consideration by the House.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4178),— pending.

Hospitals,—
breastfeeding. By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the promotion of breast-

feeding in hospitals (House, No. 1478), be scheduled for consideration by the House.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4185),— pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to cueing and supervision in the PCA program (House, No. 2685), be scheduled for consideration by the House.

Personal care attendants.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4186),— pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to the outdoors (House, No. 4023), be scheduled for consideration by the House.

Mental health patients,— outdoor access.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4191),— pending.

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

Senate bills

Further regulating tanning facilities (Senate, No. 2211); and

Tanning.

Further regulating certain town meeting notices in the town of Belmont (Senate, No. 2223) [Local Approval Received]; and

Belmont,— meeting notices.

House bills

Relative to the prevention of falls in the elderly community (House, No. 180);

Fall prevention.

Relative to regulating the practice of human body piercing (House, No. 584);

Body piercing.

Relative to medication technician (House, No. 1472);

Medication.

To clarify penalties for violations occurring while driving with a hardship license (House, No. 1801);

Hardship licenses.

Relative to a lung cancer research fund (House, No. 2342);

Cancer fund.

To reduce healthcare costs by promoting provider education through academic detailing (House, No. 3367);

Provider education.

Relative to promoting women's health (House, No. 3542);

Women's health.

Designating the second week of May as Williams Syndrome awareness day (House, No. 4078); and

Williams Syndrome.

For consumer protection and regulation in psychotherapy (House, No. 4123);

Psychotherapy.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2093, 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.

House bills

Third
reading
bills.

Designating a certain bridge in the city of Lowell as the Gentz Brothers Memorial Bridge (House, No. 3951); and

Authorizing the town of Reading to grant a utility easement over certain parcels of land in the town (House, No. 4170);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at one o'clock P.M.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at one o'clock P.M.

Wednesday, July 11, 2012.

Met according to adjournment at one o'clock P.M., 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.

Change in a House Standing Committee.

Notice was received from the Minority Leader that Representative Webster of Pembroke had resigned from his position on the House committee on Ethics, pursuant to a request of the Minority Leader [a letter from Representative Webster requesting that he be removed from the committee was enclosed with the communication from the Minority Leader]. Ethics committee,—change in membership

Statement Concerning Representative Holmes of Boston.

A statement of Mr. Rushing of Boston concerning Mr. Holmes of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Holmes of Boston, is unable to be present in the House Chamber for today's sitting due to official business outside of the Commonwealth, attending the Emerging Leaders Program at the Darden Graduate School of Business Administration at the University of Virginia, Charlottesville, Virginia. His missing of roll calls today will be due entirely to the reason stated. Statement concerning Mr. Holmes of Boston.

Statement of Mr. Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not recorded on roll calls 295 through 300, which were held on Wednesday, June 27 and Thursday, June 28. On Wednesday evening, June 27, I was unable to remain in the House Chamber for the latter part of the session due to personal reasons. Pursuant to the rules, my voting machine was locked. As a result, unbeknownst to me, my voting machine was still locked during the session of June 28, thus not recording any of the votes I made during that session. If I had been recorded for the taking of the yeas and nays, I would have voted in the affirmative on roll calls 295, 296, 297, 298, 299 and 300. Statement of Mr. Rogers of Norwood.

Resolutions.

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

Adam
Carvalho.

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

David
Gray.

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

Kayla
Harrison.

Resolutions (filed by Representatives Brodeur of Melrose, Ehrlich of Marblehead and Wong of Saugus) congratulating Kayla Harrison on earning a position on the United States judo team for the 2012 summer Olympic Games;

James
Pedro, Jr.

Resolutions (filed by Representatives Brodeur of Melrose, Campbell of Methuen, Lyons of Andover and Wong of Saugus) congratulating James "Jimmy" Pedro, Jr., on his selection to coach the United States judo team in the 2012 summer Olympic Games;

Travis
Stevens.

Resolutions (filed by Representatives Brodeur of Melrose, Dwyer of Woburn and Wong of Saugus) congratulating Travis Stevens on earning a position on the United States Olympic judo team for the 2012 summer Olympic Games;

Theresa E.
Dougall.

Resolutions (filed by Mr. Markey of Dartmouth) congratulating Theresa E. Dougall on her exemplary career in private education on the occasion of her retirement; and

Robert
Murray.

Resolutions (filed by Mr. Vieira of Falmouth) congratulating Robert Murray on the twentieth anniversary of the Cape Cod Housing With Love Walk;

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

Order.

The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Election
Laws,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Tuesday, July 24, 2012 within which to make its final report on current Senate document numbered 304 and current House document numbered 1985.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Annual Reports.

Annual reports

Life Insurance
Community
Investment
Initiative.

Of the Massachusetts Life Insurance Community Investment Initiative, LLC (under Section 2(e) of Chapter 259 of the Acts of 1998) for the year 2011 [copies of said report forwarded to the House committee on Ways and Means and the committees on Financial Services and Revenue]; and

Green
Communities
Program.

Of the Green Communities Division of the Executive Office of Energy and Environmental Affairs (under Section 10 of Chapter 25A of the General Laws) relative to activities and accomplishments related to the Green Communities Program [copies of said report forwarded to

the House committee on Ways and Means and the committees on State Administration and Regulatory Oversight and Telecommunications, Utilities and Energy].

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Miceli of Wilmington, a petition (subject to Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Linda Tierney, an employee of the Department of Public Health.

Linda Tierney,—
sick leave.

By Ms. Wolf of Cambridge, a petition (subject to Joint Rule 12) of Alice K. Wolf for legislation to establish a sick leave bank for Timothy J. O'Brien, an employee of the Executive Office of Health and Human Services.

Timothy J. O'Brien,—
sick leave.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill increasing the membership on the board of health in the city of Northampton (Senate, No. 2106, amended by striking out all after the enacting clause and inserting in place thereof the following:

Northampton,—
board of
health.

“SECTION 1. Chapter 250 of the acts of 1883 is hereby amended by striking out section 27 and inserting in place thereof the following section:—

Section 27. There shall be established in the city of Northampton a board of health consisting of 5 members, each of whom shall serve a term of 3 years and be appointed by the mayor, subject to the approval of the city council. The members of the board of health shall be legal voters in the city and at least 1 of whom shall be a physician. The members of the board shall serve without compensation.

SECTION 2. Nothing in this act shall affect the 3 incumbent members of the board of health on the effective date of this act and those members may serve out the remainder of their terms. Upon the conclusion of those terms, 2 members shall be appointed for terms of 2 years and 1 member for a term of 1 year. The 2 additional members of the board of health shall be appointed, in the manner provided in section 1, at the first council meeting after the effective date of this act and be appointed to serve for terms of 3 years.

SECTION 3. This act shall take effect upon its passage.”; and

By striking out the title and inserting in place thereof the following title: “An Act increasing the membership on the board of health in the city of Northampton.”) (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.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2341) of Richard T. Moore for legislation to establish a sick leave bank for Tina L. Sarty, an employee of the Department of Transitional Assistance. To the committee on the Public Service.

Tina L. Sarty,—
sick leave
bank.

Methuen,—
Eric D.
Currier
bridge.

Petition (accompanied by bill, Senate, No. 2340) of Steven A. Badour and Linda Dean Campbell for legislation to name a certain bridge in the city of Methuen. To the committee on Transportation.

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 following petitions:

Delinquency
records.

Petition (accompanied by bill) of John J. Binienda relative to community service to expedite the sealing of delinquency records. To the committee on the Judiciary.

Veterans,—
civil service.

Petition (accompanied by bill) of John J. Binienda relative to veterans civil service benefits. To the committee on the Public Service.

Hazardous
materials,—
removal.

Petition (accompanied by bill) of Elizabeth A. Poirier, George T. Ross and others for legislation to authorize municipalities to establish certain property tax abatements for the assessment, containment and removal of oil or hazardous materials. To the committee on Revenue.

Under suspension of the rules, on motion of Mr. Timilty of Milton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Transporta-
tion,—
bonds.

By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing the terms of certain bonds to finance improvements to the Commonwealth's transportation system (printed in House, No. 4235). Read; and referred, under Rule 33, to the committee on Ways and Means.

Healthcare
facilities.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill requiring pain assessment and management in health-care facilities (House, No. 1489), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Group health
insurance.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to eligibility for state group health insurance (House, No. 704), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4217).

Marriage
and family
therapists.

By the same member, for the same committee, that the Bill relative to increasing consumer access to licensed marriage and family therapists (House, No. 68), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4247).

Breakthrough
seizures.

By the same member, for the same committee, that the Bill to protect patients from breakthrough seizures (House, No. 585), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4248).

Vaccines,—
provider
choice.

By the same member, for the same committee, that the Bill requiring the Department of Public Health to implement a provider choice system for certain vaccines (House, No. 2386), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4251).

Intellectual
disability,—
definition.

By the same member, for the same committee, that the Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House,

No. 3527), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4252). definition.

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, No. 492, a Bill improving the children's medical security program and simplifying the administration process (House, No. 4250) [Cost: Greater than \$100,000]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Children,—
medical
security.

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. 3677) of Mark J. Cusack and John F. Keenan for legislation to authorize the town of Braintree to grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises. Under suspension of the rules, on motion of Mr. Speiotis of Danvers, the report was considered forthwith.

Braintree,—
alcoholic
beverages.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles (see House, No. 4159, 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.

Clifton
Watson,—
sick leave
bank.

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 15 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services (see House, No. 4166, 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.

Chereel
Stafilopatis,—
sick leave
bank.

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 18 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2093, amended) (which originated in the Senate);

Bills
enacted.

Authorizing the town of Tyringham to continue the employment of the chief of police, Peter Curtin (see House, No. 3524, changed and amended); and

Relative to Hamilton Development Corporation (see House, No. 3710, 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.

Orders of the Day.

Second reading
bill engrossed.

The House bill relative to the transfer of land in the town of Sharon (House, No. 3794) was read a second time; and was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill (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. Sent to the Senate for concurrence.

Second
reading
bills.

Senate bills

Further regulating tanning facilities (Senate, No. 2211); and

Further regulating certain town meeting notices in the town of Belmont (Senate, No. 2223) [Local Approval Received]; and

House bills

Relative to the prevention of falls in the elderly community (House, No. 180);

Relative to regulating the practice of human body piercing (House, No. 584);

Relative to medication technician (House, No. 1472);

To clarify penalties for violations occurring while driving with a hardship license (House, No. 1801);

Relative to the Massachusetts Water Resources Authority (House, No. 2941);

To reduce healthcare costs by promoting provider education through academic detailing (House, No. 3367);

Relative to promoting women's health (House, No. 3542);

Designating the second week of May as Williams Syndrome awareness day (House, No. 4078); and

For consumer protection and regulation in psychotherapy (House, No. 4123);

Severally were read a second time; and they were ordered to a third reading.

Second reading
bill amended.

The Senate Bill regarding families and children engaged in services (Senate, No. 1963, amended), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4244,— was adopted; and the bill (Senate, No. 1963, amended) was ordered to a third reading.

Id.

The House Bill requiring child and parent involvement in permanency and placement planning (House, No. 61, changed), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4178),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to renovation and repair contracts (House, No. 1392), was read a second time. Second reading bill amended.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4242),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to the promotion of breastfeeding in hospitals (House, No. 1478), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4185),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to cueing and supervision in the PCA program (House, No. 2685), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4186),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill concerning the right of persons receiving services from programs or facilities of the Department of Mental Health to daily access to the outdoors (House, No. 4023), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4191),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to third grade reading proficiency (House, No. 4152), was read a second time. Third grade reading proficiency.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4243),— was adopted.

After debate on the question on ordering the substituted bill to a third reading, the sense of the House was taken by yeas and nays, at the request of Ms. Peisch of Wellesley; and on the roll call 151 members voted in the affirmative and 0 in the negative. Bill ordered to a third reading,— yea and nay No. 301.

[See Yea and Nay No. 301 in Supplement.]

Therefore the bill was ordered to a third reading.

Under suspension of the rules, on motion of Ms. Peisch, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

The engrossed Bill relative to the electronic benefit transfer program (see House, No. 4237), being a printed copy of sections 52, 53, 54, 173 to 176, inclusive, and 228 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200), which had been returned by His Excellency the Governor with recom- Direct cash assistance funds.

Direct cash assistance funds.

mentation of amendment (for message, see Attachment D of House, No. 4240), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

Governor's amendment rejected,— yea and nay No. 302.

After remarks on the question on adoption of the amendment recommended by the Governor, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 1 member voted in the affirmative and 152 members voted in the negative.

[See Yea and Nay No. 302 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Motor vehicle and trailer registration,— identification, etc.

The engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238), being a printed copy of sections 92 and 217 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 4240), was considered.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

Governor's amendment rejected,— yea and nay No. 303.

On the question on adoption of the amendment recommended by the Governor, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 12 member voted in the affirmative and 140 in the negative.

[See Yea and Nay No. 303 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Private functions,— caterer's licenses.

The Senate Bill providing for annual caterer's licenses for the service of alcoholic beverages at private functions (Senate, No. 2063), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4245,— was adopted; and the bill (Senate, No. 2063, amended) was ordered to a third reading.

Reports of Committees.

General Appropriation Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4240), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), reported, in part, that a section and certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the reports were considered forthwith.

Item 2330-0100 (contained in section 2) (marine fisheries), which had been disapproved (in part) by the Governor was considered.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 150 members voted in the affirmative and 1 in the negative.

Marine fisheries item 2330-0100 stands,—yea and nay No. 304.

[See Yea and Nay No. 304 in Supplement.]

Therefore item 2330-0100 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 5095-0015 (contained in section 2) (hospital services), which had been disapproved (in part) by the Governor was considered.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Hospital services item 5095-0015 stands,—yea and nay No. 305.

[See Yea and Nay No. 305 in Supplement.]

Therefore item 5095-0015 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 186 (hospital services), which had been disapproved by the Governor was considered.

After remarks on the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Hospital services section 186 stands,—yea and nay No. 306.

[See Yea and Nay No. 306 in Supplement.]

Therefore section 186 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

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.

Mr. deMacedo of Plymouth then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at ten minutes after three o'clock P.M. (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.

Thursday, July 12, 2012.

Met at six minutes after 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.

Peter
Michael
Coyne.

Resolutions (filed with the Clerk by Mr. McMurtry of Dedham) congratulating Peter Michael Coyne on receiving the Eagle Award of the Boy Scouts of America, 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 Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted

Papers from the Senate.

Children,—
water
safety.

The Senate Bill relative to water safety for children (Senate, No. 2075, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3088, amended) with a further amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred option of this act would tend to defeat its purpose, which is to forthwith improve water safety for children in the commonwealth, therefore it is hereby declared to an emergency law, necessary for the immediate preservation of the public safety.”

Under suspension of Rule 35, on motion of Ms. Andrews of Orange, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith. The House then non-concurred with the Senate in its further amendment. Sent to the Senate for its action.

Tyringham,—
Rainsford
Morehouse.

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), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 by striking out the date “December 31, 2012” (as changed by the committee on Public Service) and inserting in place thereof the date “August 6, 2015”.

Under suspension of Rule 35, on motion of Mr. Pignatelli of Lenox, 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.

A Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338) (on Senate, No. 1579), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Lawrence,—
land.

Bills

Designating certain bridges under the control of the Massachusetts Department of Transportation in the town of Raynham and the city of Taunton (Senate, No. 2337) (on Senate, No. 1775); and

Raynham and
Taunton,—
bridges.

Establishing a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services (Senate, No. 2339) (on Senate bill No. 2332);

Laurie
Bourassa,—
sick leave
bank.

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.

A petition (accompanied by bill) of Benjamin B. Downing and Paul W. Mark for legislation to authorize the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Hinsdale,—
land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2343) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

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

The Senate Bill authorizing the exchange of certain parcels of land in the town of Marshfield (Senate, No. 2137, amended); and
House bills

Marshfield,—
land.

Relative to improving health care quality and cost in the medical device industry (House, No. 1507); and

Medical
devices.

Authorizing the town of Northborough to convey certain parklands to abutters (House, No. 4075);

Northborough,—
land.

Under suspension of Rule 7A, 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.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to promote healthy people and a healthy economy in Massachusetts (House, No. 1157, changed), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4249) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending.

Health
impact
reports.

Midwives,—
certification.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to certified professional midwives (House, No. 2368), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4253).

Social
workers,—
safety.

By the same member, for the same committee, that the Bill relative to promote health through workplace safety for social workers (House, No. 3864), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4254).

Lupus,—
study.

By the same member, for the same committee, that the Bill to establish a lupus erythematosus study and registry (House, No. 1481), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4255).

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

Health
claims,—
denials.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, No. 1204, a Bill to limit retroactive denials of health insurance claims (House, No. 4257).

Disability
policies.

By the same member, for the same committee, on House, No. 1174, a Bill requiring mental health disclosure for disability policies (House, No. 4258).

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

Needham,—
liquor
license.

By Mr. Spiliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises under article of Amendment XLIX (House, No. 4187) [Local Approval Received].

Charities,—
auto
insurance.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to encouraging volunteerism for non-profit organizations providing transportation options for seniors (House, No. 3921).

Chatham,—
charter.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the charter of the town of Chatham (House, No. 4141) [Local Approval Received].

Wellfleet,—
land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (House, No. 4171) [Local Approval Received].

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

Orders of the Day.

Senate bills

Third
reading
bills.

Authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises (Senate, No. 97); and

Establishing a sick leave bank for Heidi A. Lennon, an employee of the Department of Children and Families (Senate, No. 2319);

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.

The House Bill authorizing the town of Hopedale to allow direct deposit of receipts into certain funds (House, No. 3937), 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. Sent to the Senate for concurrence.

Third reading bill.

The House Bill establishing a sick leave bank for Susan Tremblay, an employee of the Department of Correction (House, No. 4192) (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.

Third reading bill amended.

Pending the question on passing the bill to be engrossed, Mr. Rosa of Leominster moved that it be amended by inserting before the enacting clause 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 department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4192, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4104) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to the appointment of special police officers in the city of Fitchburg, notwithstanding the maximum age requirement. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith.

Fitchburg,—special police officers.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

At twenty-six minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until half past two o'clock; and at twenty-three minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

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 following petitions:

Louise Moson,—
sick leave.

Joint petition (accompanied by bill) of Joseph F. Wagner and James T. Welch for legislation to establish a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation. To the committee on Public Service.

Watertown,—
Menton
Corner.

Petition (accompanied by bill) of Jonathan Hecht, William N. Brownsberger and John J. Lawn, Jr., for legislation to designate a certain corner in the town of Watertown as Menton Corner. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. O'Day of Worcester, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Establishing a sick leave bank for Clifton Watson, an employee of the Registry of Motor Vehicles (see House, No. 4159, amended); and

Establishing a sick leave bank for Chereel Stafilopatis, an employee of the Executive Office of Health and Human Services (see House, No. 4166, amended);

(Which severally originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Recess.

At nineteen minutes before three o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until four o'clock; and at five minutes after four o'clock the House was called to order with Mr. Donato in the Chair.

Bill
enacted.

The engrossed Bill relative to water safety for children (Senate, No. 2075, amended) (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.

Messages from the Governor.

Mashpee
Wampanoag
Tribe,—
state
compact.

A message from His Excellency the Governor submitting the "Tribal State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts" (House, No. 4260), was filed this day in the office of the Clerk.

The message was read; and it was referred under Rule 30, with the accompanying draft of a communication, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Id.

A message from His Excellency the Governor for the passage of a resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (House, No. 4261), was filed this day in the office of the Clerk.

The message was read; and it was referred under Rule 30, with the accompanying draft of a resolve, to the committee on Economic Development and Emerging Technologies. 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-two minutes after four o'clock P.M., on motion of Mr. Peterson of Grafton (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.

Monday, July 16, 2012.

Met at five minutes after 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.

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

Zachary Gaskill.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Zachary Gaskill on earning the Eagle Scout Award; and

Nelson Mandela Day.

Resolutions (filed by Mr. Lewis of Winchester) recognizing Nelson Mandela Day, July 18, 2012;

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

Communication.

Dukes County Registry of Deeds,— technology expenditure.

A communication from the Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting a request for expenditure for technological improvements from the County Registers Technological Fund [copies of said communication forwarded to the House and Senate committees on Ways and Means and Post Audit and Oversight], was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Hingham,— land.

By Representative Bradley of Hingham and Senator Hedlund, a joint petition (accompanied by bill, House, No. 4275) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) for legislation to authorize the town of Hingham to transfer and change the use of certain parcels of land in said town;

Lenox,— land.

By Representative Pignatelli of Lenox and Senator Downing, a joint petition (accompanied by bill, House, No. 4277) of William Smitty Pignatelli and Benjamin B. Downing (by vote of the town) that the town of Lenox be authorized to reclassify and lease a certain parcel of land known as the old landfill in said town for the construction of a solar powered generation facility; and

Lee,— land.

By Representative Pignatelli of Lenox and Senator Downing, a joint petition (accompanied by bill, House, No. 4278) of William Smitty Pignatelli and Benjamin B. Downing (by vote of the town) that the

town of Lee be authorized to reclassify and lease certain recreational land in said town for the construction of a solar powered generation facility;

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Papers from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment of the Senate Bill to improve the administration of state government and finance (Senate, No. 1940) (for report, see Senate, No. 2342), came from the Senate with the endorsement that it had been accepted by said branch; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Government,—
administration
and finance.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House; and it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

Bills

Relative to increasing consumer access to licensed marriage and family therapists (Senate, No. 72) (on a petition); and

Marriage, etc.
therapists.

Designating a portion of the Route 128 extension in the city of Gloucester as the Purple Heart Highway (Senate, No. 2286, amended in section 1, in lines 1 to 5, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “Notwithstanding chapter 360 of the acts of 1941, the length of highway, currently referred to as the route 128 extension, that runs between Grant Circle at Washington street in an easterly direction for a distance of 1.6 miles to its intersection with East Main street and Bass avenue in the city of Gloucester, shall be designated and known as the Purple Heart Highway in honor of the brave recipients of the Purple Heart.”) (on a petition) [Local Approval Received];

Gloucester,—
Purple Heart
Highway.

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. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a message from His Excellency the Governor, that the communication submitting to the General Court for approval, the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 4260), be placed on file. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Gaming,—
Tribal-State
Compact.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, No. 282 and House, No. 1096, a Bill relative to reserving beds in nursing homes during certain leaves of absences (House, No. 4264). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Nursing
homes,—
leaves.

Firearms.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to the right to carry firearms (House, No. 1567).

Jet ski safety.

By the same member, for the same committee, on a petition, a Bill [sic] to jet ski safety (House, No. 3369).

Chelsea,—
land.

By Mr. Kocot of Northampton, for the committee on the State Administration and Regulatory Oversight, on a petition, a Bill relative to a certain parcel land in the city of Chelsea (House, No. 4202).

RMV,—
Selective
Service.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill to insure benefits through enhanced Selective Service registration (House, No. 4146).

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

Sharon,—
liquor
license.

By Mr. Spiliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163) [Local Approval Received].

Danvers,—
liquor
license.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Danvers to grant an additional license for the sale of all alcoholic [sic] beverages (House, No. 4168) [Local Approval Received].

Tribal-state
compact.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a message from His Excellency the Governor, a Resolve relating to the tribal-state compact between the Mashpee Wampanoag tribe and the Commonwealth of Massachusetts (printed in House, No. 4261).

Municipal
service fees.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to municipal service fees (House, No. 577).

Suffolk
County,—
regional
lockup.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill establishing a regional lockup facility in Suffolk County (House, No. 2919).

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the following bills ought to pass:

Family
therapy.

Relative to increasing consumer access to licensed marriage and family therapy (House, No. 295);

Minors.

Relative to the health care of minors (House, No. 1500);

Patient safety,—
improvements.

Reducing medical errors and improving patient safety (House, No. 1519, changed);

Medical
insurance.

Relating to the medical professional mutual insurance company (House, No. 2765); and

Health
education.

Regarding an analysis of health education in the Commonwealth (House, No. 4148);

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to financial services contracts for dental benefits corporations (House, No. 3916), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4265) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means, with the amendment pending. Dental benefits corporations.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Relative to certain tanks used for the storage of fluids (Senate, No. 2166); Storage tanks.

To strengthen and expand the board of agriculture (House, No. 3221, changed); Agriculture.

Relative to reducing phosphorous runoff (House, No. 3270); and Phosphorous.
 Making faculty sabbatical provisions at state universities consistent with other higher education institutions (House, No. 3805) [Representative Diehl of Whitman dissenting]; Sabbatical provisions.

Severally 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.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill further regulating animal control (Senate, No. 2192), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4266. Animal control,— regulate.

By the same member, for the same committee, that the Bill requiring the registration of motor vehicle glass repair shops (Senate, No. 2216, amended), ought to pass with an amendment by striking out section 22 and inserting in place thereof the following: Vehicle glass repair shops.

“SECTION 22. Notwithstanding any general or special law to the contrary, a registered motor vehicle repair shop, as defined in section 1 of chapter 100A of the General Laws, performing motor vehicle glass repair on the effective date of this act shall not be required to register with the division of standards as both a registered motor vehicle repair shop and a registered motor vehicle glass repair shop.”

By the same member, for the same committee, that the Bill relative to groundwater recharge (House, No. 1144), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4267). Groundwater recharge.

By the same member, for the same committee, that the Bill to establish the uniform enforcement of foreign judgments (House, No. 1277), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4268). Foreign judgments.

By the same member, for the same committee, that the Bill relative to the selection of retirement options (House, No. 3476), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4269). Retirement options.

Retirement systems,—
accounting.

By the same member, for the same committee, that the Bill relative to the accounting of public employee retirement systems (House, No. 3478), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4270).

Involuntary retirement.

By the same member, for the same committee, that the Bill amending CH32 sec 16 (House, No. 3481), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4271).

Foxborough,—
land.

By the same member, for the same committee, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (House, No. 3859), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4272).

Shirley,—
land.

By the same member, for the same committee, that the Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (House, No. 3860), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4273).

Virtual schools.

By the same member, for the same committee, that the Bill establishing commonwealth virtual schools (House, No. 3873), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4274).

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

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

Consumer Protection and Professional Licensure,—
study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 1027, 1877, 1882, 2027, 3266, and 3903, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning matters relative to licensure issues (House, No. 4256). 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.

Transportation,—
study.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 893, 894, 895, 896, 897, 898, 899, 900, 902, 903, 904, 906, 908, 909, 910, 911, 917, 919, 921, 922, 924, 925, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 943, 944, 945, 946, 947, 948, 950, 952, 953, 954, 955, 956, 957, 958, 1786, 1788, 1789, 1793, 1800, 1804, 1806, 1807, 1810, 1811, 1812, 1813, 1814, 1818, 1819, 1848, 2630, 2631, 2632, 2634, 2635, 2636, 2637, 2638, 2641, 2642, 2643, 2646, 2647, 2652, 2655, 2656, 2661, 2663, 2665, 3068, 3070, 3071, 3073, 3074, 3075, 3076, 3077, 3078, 3080, 3081, 3083, 3084, 3086, 3087, 3088, 3089, 3091, 3092, 3093, 3097, 3098, 3211, 3213, 3214,

3246, 3247, 3305, 3306, 3383, 3422, 3449, 3517, 3611, 3612, 3634, 3643, and 3872, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning matters relative to transportation issues (House, No. 4263). 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.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3083), of James M. Murphy for legislation to require the Registrar of Motor Vehicles to collect emergency contact information from certain persons,— and recommending that the same be recommitted to the committee on Transportation. Under Rule 42, the report was considered forthwith; and it was accepted.

Registrar of Motor Vehicles,— emergency contact.

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

The Senate Bill establishing a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services (Senate, No. 2339); and

Laurie Bourassa,— sick leave.

House bills

Authorizing the town of Wellfleet to grant an easement on certain lands in the town (House, No. 4171) [Local Approval Received]; and

Medical devices.

Relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises under article of amendment XLIX (House, No. 4187) [Local Approval Received];

Needham,— liquor.

Under suspension of Rule 7A, 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.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to protect patients from breakthrough seizures (House, No. 585), be scheduled for consideration by the House.

Breakthrough seizures.

Placed in the Orders of the Day for the next sitting for a second reading with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4248),— pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 3527), be scheduled for consideration by the House.

Intellectual disability,— definition.

Intellectual disability,— definition.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4252),— pending.

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

Senate bills

Superintendency.

Relative to superintendency union benefits (Senate, No. 2092, amended);

Northampton,— health board.

Increasing the membership on the board of health in the city of Northampton (Senate, No. 2106, amended) [Local Approval Received];

Blue Star Mothers.

Designating the month of May as Blue Star Mothers Month (Senate, No. 2265); and

Groveland,— solar facility.

Authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (Senate, No. 2320) [Local Approval Received]; and

House bills

Railroads.

Relative to railroad crossings (House, No. 3094);

Holidays.

To allow certain store and shops to open on holidays (House, No. 4173);

Directory assistance.

Regarding regulation of directory assistance (House, No. 4228);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

Heidi A. Lennon,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Heidi A. Lennon, and employee of the Department of Children and Families (see Senate, No. 2319), 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 10 to 0. Sent to the Senate for concurrence.

Electronic benefit transfer program.

The engrossed Bill relative to the electronic benefit transfer program (see House, No. 4237), 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 11 to 0. Sent to the Senate for concurrence.

Motor vehicles and trailer,— registration.

The engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238), 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.

Engrossed Bills.

Engrossed bills

Authorizing the town of Hawley to grant a license for the sale or service of wine to be drunk on the premises of a farmer-winery (see Senate, No. 97) (which originated in the Senate); Bills enacted.

Authorizing the town of Natick to lease or sell the former East School (see House, No. 3332);

Authorizing the town of Tyringham to continue the employment of Rainsford Morehouse, a member of the police department (see House, No. 3525);

(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 it were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills

Designating a certain bridge in the city of Boston as the Honorable Francis X. Coppinger Bridge (Senate, No. 1787) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Designating a certain bridge in the city of Boston the Honorable Charles Doyle Bridge (Senate, No. 1788);

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

Relative to adding the town of Harvard to the Devens Economic target Area (House, No. 3717); and Third reading bills.

Relative to the rights of the water supply district of Acton to acquire any water source in the town of Boxborough (House, No. 3820) (its title having been changed by the committee on Bills in the Third Reading);

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. 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 tomorrow at eleven o'clock A.M. Next sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

Tuesday, July 17, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Recess.

Recess.

At two minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House recessed until one o'clock P.M.; and at twenty-four minutes after one o'clock the House was called to order with Mr. Kafka in the Chair.

Message from the Governor.

Supplemental
appropriation.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4285), was filed in the office of the Clerk on Monday, July 16, 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.

Resolutions.

Natick,—
Mathews
Square.

Resolutions (filed with the Clerk by Representatives Linsky of Natick and Peisch of Wellesley) on the occasion of the dedication of the Charles W. Mathews Square in the town of Natick, 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 Mr. Linsky, 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.

NCCI
Gardner,—
inspection.

A special report of the Department of Public Health (under the provisions of sections 5 and 20 of Chapter 111 of the General Laws) relative to an inspection of the North Central Correctional Institution at Gardner, was placed on file.

Orders.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, June 29, 2012 within which to make its final report on current House document numbered 1803.

Transportation,—
extension
of time for
reporting.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus, the order was considered forthwith.

Pending question on the adoption of the order, the same member moved to amend it by striking out the date “Friday, June 29” and inserting in place thereof the date “Tuesday, July 31”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Sunday, July 15, 2012 within which to make its final report on current House documents numbered 1794, 1795, 1796, 1797, 2654 and 3248. Id.

Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus, the order was considered forthwith.

Pending question on the adoption of the order, the same member moved to amend it by striking out the date “Sunday, July 15” and inserting in place thereof the date “Tuesday, July 31”. The amendment was adopted.

The order, as amended, then also was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Straus of Mattapoissett) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Tuesday, July 31, 2012 within which to make its final report on current House document numbered 4011. Mr. Binienda of Worcester, for the committees on Rules, reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Straus, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence. Id.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Smola of Palmer and Senator Brewer, a joint petition (accompanied by bill, House, No. 4281) of Todd M. Smola and Stephen M. Brewer (by vote of the town) relative to recall elections in the town of Wales. To the committee on Election Laws.

Wales,—
recall
elections.

By Representative Calter of Kingston and Senator Murray, a joint petition (accompanied by bill, House, No. 4276) of Thomas J. Calter

Plympton,—
capital fund.

and Therese Murray (by vote of the town) relative to authorizing the town of Plympton to establish a special fund for capital projects; and

Wales,—
library
fund.

By Representative Smola of Palmer and Senator Brewer, a joint petition (accompanied by bill, House, No. 4282) of Todd M. Smola and Stephen M. Brewer (by vote of the town) relative to creating a library building fund in the town of Wales;

Severally to the committee on Municipalities and Regional Government.

Ware,—
civil
service.

By Representatives Smola of Palmer and Gobi of Spencer, a petition (accompanied by bill, House, No. 4283) of Todd M. Smola, Stephen M. Brewer and Anne M. Gobi for legislation to authorize Adam A. Seguin to take the civil service examination for appointment as a police officer in the town of Ware, notwithstanding the maximum age requirement. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Plymouth
County,—
charter.

Messrs. Bradley of Hingham and deMacedo of Plymouth presented a petition (subject to Joint Rule 12) Garrett J. Bradley and others relative to the Plymouth County Government; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 Municipalities and Regional Government. Sent to the Senate for concurrence.

Scituate,—
Frank M.
Hynes
Station at
Greenbush.

Mr. Cantwell of Marshfield presented a petition (subject to Joint Rule 12) of James M. Cantwell and Viriato Manuel deMacedo relative to designating a certain train station in the town of Scituate as the Frank M. Hynes Station at Greenbush; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. 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 Transportation. Sent to the Senate for concurrence.

Schools,—
epinephrine.

Mr. Durant of Spencer presented a petition (subject Joint Rule 12) of Peter J. Durant and others for legislation to authorize school bus drivers to administer epinephrine; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Fragile X
Awareness
Day.

The House Bill establishing Fragile X Awareness Day (House, No. 843), came from the Senate passed to be engrossed, in concurrence, with an amendment, inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith Fragile X Awareness Day on July 22, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Under suspension of Rule 35, on motion of Mr. Scibak of South Hadley, 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.

A petition (accompanied by bill, Senate, No. 2348) of Karen E. Spilka and Carolyn C. Dykema (by vote of the town) for legislation relative to municipal acceptance of roads within a subdivision in the town of Medway, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Medway,—
subdivision
roads.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2357) of Eileen M. Donoghue and Colleen M. Garry for legislation to establish a sick leave bank for June Graham, an employee of the department of public health. To the committee on Public Service.

June
Graham,—
sick leave
bank.

Petition (accompanied by bill, Senate, No. 2355) of Sal N. DiMomenico, William N. Brownsberger and Patricia D. Jehlen for legislation relative to the lease of Northeastern University Henderson boat house.

Northeastern,—
Henderson
boat house.

Petition (accompanied by bill, Senate, No. 2356) of Sal N. DiMomenico, William N. Brownsberger, Michael F. Rush, Patricia D. Jehlen and other members of the General Court for legislation relative to a boat house land lease in the city of Boston.

Boston,—
boat house
land lease.

Severally to the committee on State Administration and Regulatory Oversight.

Emergency Measure.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (see House, No. 3909) (which originated in the House), 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.

Hopkinton,—
land.

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 16 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Heidi A. Lennon, an employee of the Department of Children (see Senate, No. 2319) (which originated in the Senate), 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.

Bill
enacted.

Engrossed bills
 Bills re-enacted. Relative to the electronic benefit transfer program (see House, No. 4237); and
 Relative to the registration of motor vehicles and trailers (see House, No. 4238);
 (Which severally originated in the House) (which severally had been returned by His Excellency the Governor with recommendation of amendment);
 In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be re-enacted, without amendment; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills
 Bills enacted. Designating a certain bridge in the city of Boston as the Honorable Francis X. Coppinger Bridge (see Senate, No. 1787); and
 Designating a certain bridge in the city of Boston the Honorable Charles Doyle Bridge (see Senate, No. 1788);
 (Which severally originated in the 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.

Reports of Committees.

Law enforcement tools. Mr. O'Flaherty of Chelsea, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2080) of the House Bill relative to sentencing improving law enforcement tools (House, No. 3818), recommending as follows:

That the House recede from its non-concurrence with the Senate in its amendment and concur therein with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4286); and that the Senate concur in the further amendment. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling then reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question being on acceptance.

Timothy J. O'Brien,—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 Alice K. Wolf for legislation to establish a sick leave bank for Timothy J. O'Brien, an employee of the Executive Office of Health and Human Services. 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.

Gardner,—civil service. By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting certain positions in the city of Gardner

from the provisions of civil service laws (House, No. 4213) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4214) [Local Approval Received].

Gardner,—
civil
service.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick bank for Patricia Morin (House, No. 4262).

Patricia
Morin,—
sick leave.

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 House Bill relative to increasing consumer access to licensed marriage and family therapists (House, No. 68), be scheduled for consideration by the House.

Marriage
and family
therapists.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4247),— pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to establish a lupus erythematosus study and registry (House, No. 1481), be scheduled for consideration by the House.

Lupus
erythematosus.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4255),— pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill requiring the Department of Public Health to implement a provider choice system for certain vaccines (House, No. 2386), be scheduled for consideration by the House.

Vaccines,—
provider
choice.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4251),— pending.

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

Senate bills

Relative to increasing consumer access to licensed marriage and family therapists (Senate, No. 72); and

Marriage, etc.
therapists.

Designating a portion of the Route 128 extension in the city of Gloucester as the Purple Heart Highway (Senate, No. 2286, amended) [Local Approval Received]; and

Purple Heart
Highway.

House bills

Relative to increasing consumer access to licensed marriage and family therapists (House, No. 295);

Marriage, etc.
therapists.

Relative to the health care of minors (House, No. 1500);

Health care.

Lockup facility.

Establishing a regional lockup facility in Suffolk County (House, No. 2919);

Charitable organizations.

Relative to encouraging volunteerism for non-profit organizations providing transportation options for seniors (House, No. 3921);

Chatham,— charter.

Relative to the charter of the town of Chatham (House, No. 4141) [Local Approval Received];

Sharon,— liquor license.

Authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163) Local Approval Received];

Utility service.

Relative to utility service call centers (House, No. 4224); and

Patricia Morin.

Establishing a sick bank for Patricia Morin (House, No. 4262); and House resolves

College text books.

Providing for an investigation and study by a special commission relative to reducing the costs associated with the purchase of college text books (House, No. 4060); and

Tribal-State compact.

Relating to the Tribal-State compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 4261);

Severally placed in the Orders of the Day for the next sitting for a second reading.

Wampanoag Tribal-State Compact.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to prohibiting amendments to the Resolve approving and ratifying the Mashpee Wampanoag Tribe-Commonwealth of Massachusetts Tribal-State Compact, as appearing in House document numbered 4260 (for order, see House, No. 4259). The order was considered forthwith.

After remarks on the question on adoption of the order, Mr. Koczera of New Bedford and other members of the House moved to amend it in line 4 by inserting after the word "House" the words " , with the exception of amendments affecting and/or addressing the time certain by which so-called land in trust is approved or acted upon by the United States Government".

After remarks on the question on adoption of the amendment, Mr. Straus of Mattapoisett and other members of the House moved to amend it by inserting before the word "approved" the word "acquired,".

Further amendment rejected,— yea and nay No. 307.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. D'Emilia of Bridgewater; and on the roll call 33 members voted in the affirmative and 119 in the negative.

[See Yea and Nay No. 307 in Supplement.]

Therefore the further amendment was rejected.

The amendment then also was rejected.

Order adopted,— yea and nay No. 308.

On the question on adoption of the order, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 113 members voted in the affirmative and 39 in the negative.

[See Yea and Nay No. 308 in Supplement.]

Therefore the order was adopted.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4240), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), reported, in part, that certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Kafka of Stoughton, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the reports were considered forthwith.

Item 1599-6901 (contained in section 2) (human service salary reserves), which had been disapproved (in part) by the Governor was considered.

Human service
salary reserve
item 1599-6901
stands,—
yea and nay
No. 309.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 309 in Supplement.]

Therefore item 1599-6901 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0100 (contained in section 2) (state parks and recreation), which had been disapproved (in part) by the Governor was considered.

State parks
and
recreation
item 2810-0100
stands,—
yea and nay
No. 310.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 310 in Supplement.]

Therefore item 2810-0100 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8324-0000 (contained in section 2) (Department of Fire Services), which had been disapproved (in part) by the Governor was considered.

Department of
Fire Services
item 8324-0000
stands,—
yea and nay
No. 311.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 311 in Supplement.]

Therefore item 8324-0000 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing the exchange of certain parcels of land in the town of Marshfield (Senate, No. 2137, 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.

Third
reading
bills.

House bills
Relative to a conservation restriction in the town of Truro (House, No. 3919) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4187) (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.

Second
reading
bills.

Senate bills
Relative to superintendency union benefits (Senate, No. 2092, amended);

Increasing the membership on the board of health in the city of Northampton (Senate, No. 2106, amended);

Relative to certain tanks used for the storage of fluids (Senate, No. 2166);

Designating the month of May as Blue Star Mothers Month (Senate, No. 2265); and

Authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (Senate, No. 2320); and

House bills

Relative to railroad crossings (House, No. 3094); and

Regarding regulation of directory assistance (House, No. 4228);

Severally were read a second time; and they were ordered to a third reading.

Second reading
bill amended.

The Senate Bill further regulating animal control (Senate, No. 2192), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4266),— was adopted.

The bill (Senate, No. 2192, amended) then was ordered to a third reading.

Id.

The House Bill to protect patients from breakthrough seizures (House, No. 585), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,—that the bill be amended by substitution of a bill with the same title (House, No. 4248),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to groundwater recharge (House, No. 1144), was read a second time. Second reading
bill amended.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4267),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill to establish the uniform enforcement of foreign judgments (House, No. 1277), was read a second time. Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4268),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill relative to the accounting of public employee retirement systems (House, No. 3478), was read a second time. Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4270),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill amending CH32 sec 16 (House, No. 3481), was read a second time. Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4271),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 3527), was read a second time. Id.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4252),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (House, No. 3859), was read a second time. Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4272),— was adopted; and the substituted bill was ordered to a third reading.

The House Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (House, No. 3860), was read a second time. Id.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4273),— was adopted; and the substituted bill was ordered to a third reading.

Second reading
bill amended.

The House Bill establishing Commonwealth virtual schools (House, No. 3873), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4274),— was adopted; and the substituted bill was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at one o'clock P.M.

Mr. Humason of Westfield then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twelve minutes before four o'clock P.M. (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at one o'clock P.M.

Wednesday, July 18, 2012.

Met according to adjournment at one o'clock P.M., 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.

Statement of Representative Spiliotis of Peabody.

A statement of Ms. Spiliotis of Peabody was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for the latter part of the sitting of Tuesday, July 17, due to a medical appointment. Had I been present for the roll calls taken yesterday, I would have voted in the negative on roll call No. 307; and in the affirmative on roll call numbers 308, 309, 310 and 311. My missing of roll calls yesterday was due entirely to the reason stated. Statement of Ms. Spiliotis of Peabody.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced interns from the Department of Mental Health along with Jessica Soares-Cabral, Steve Cidlevich, Legislative Director, Abigail Monska, Human Resources Liaison and Liam Seward of the Department of Mental Health staff. The goal of the DMH internship program is to have each intern complete specific project which will provide them with knowledge of mental health services as well as a comprehensive understanding of working in public service. DMH interns.

Resolutions.

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

Resolutions (filed by Mr. Calter of Kingston) congratulating Adam C. Creighton on receiving the Eagle Award of the Boy Scouts of America; Adam C. Creighton.

Resolutions (filed by Ms. Coakley-Rivera of Springfield) congratulating Dinorah Hernandez on her retirement after twenty-three years of dedicated service to the Commonwealth; Dinorah Hernandez.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Edward Grayson Kempster on earning the Eagle Scout Award; and Edward Grayson Kempster.

Resolutions (filed by Mr. McMurtry of Dedham) honoring Cory Krakowsky for his work in helping to prevent alcohol use by teens and saving lives; Cory Krakowsky.

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 Mr. O'Day of West

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

Emergency Measure.

Fragile X
Awareness
Day.

The engrossed Bill establishing Fragile X Awareness Day (see House, No. 843, 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 7 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Authorizing the exchange of certain parcels of land in the town of Marshfield (see Senate, No. 2137, amended) (which originated in the Senate); and

Authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption (see House, No. 4062, amended) (which 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.

Recesses.

Recesses.

At fourteen minutes after one o'clock P.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock; and at two o'clock the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Peterson of Grafton, until a half past two o'clock; and at fourteen minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Natick,—
property
lease.

The House Bill authorizing the town of Natick to lease certain town-owned property (House, No. 3870), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1 by adding the following paragraph:

“Any lease entered into pursuant to this act shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”; and striking out section 2 and inserting in place thereof the following two sections:

“SECTION 2. Chapter 181 f the acts of 1999 is hereby repealed.

SECTION 3. This act shall take effect upon its passage.”.

Under suspension of Rule 35, on motion of Mr. Linsky of Natick, 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 Natick to lease certain town-owned property (House, No. 3871), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1 by adding the following paragraph:

Natick,—
property
lease.

“Any lease entered into pursuant to this act shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”

Under suspension of Rule 35, on motion of Mr. Linsky of Natick, 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.

The House Bill authorizing the town of Reading to grant a utility easement over certain parcels of land (House, No. 4170), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following three sections:

Reading,—
utility
easement.

“SECTION 2. As a condition for the conveyance authorized in section 1, the town of Reading shall transfer a parcel of land under the care, custody, management and control of the board of selectmen and dedicated for general municipal purposes to the conservation commission and such parcel shall be dedicated for conservation purposes. If no suitable parcel shall be available for transfer to the conservation commission, the town shall acquire a parcel of land or place a conservation restriction upon private or public land as provided in section 31 of chapter 184 of the General Laws. Any such land acquired or restricted shall be under the jurisdiction of the conservation commission and shall be dedicated or restricted for conservation purposes. The parcel dedicated, acquired or restricted pursuant to this section shall be of equal or greater size and value for conservation, park or water supply purposes than the parcel described in said section 1.

SECTION 3. If the land conveyed pursuant to section 1 ceases to be used for the purposes described in said section 1, the land shall revert to the town of Reading for conservation, park or water supply purposes.

SECTION 4. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Jones of North Reading, 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.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4056, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning the replanting of trees (House, No. 4289). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Trees,—
study.

Subsequently Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the

Trees,—
study.

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.

Price
adjustment.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to price adjustment (House, No. 822), ought to pass with an amendment in line 6 by striking out the figures "\$100,000" and inserting in place thereof the figures "\$1,000,000". 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 Rule 7A, on motion of Mr. Dempsey, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (House, No. 822, amended) was ordered to a third reading.

Chelsea,—
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the House Bill relative to a certain parcel of land in the city of Chelsea (House, No. 4202), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Dempsey, the bill was read a second time forthwith; and it was ordered to a third reading.

Transportation
system,—
bonds.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the House Bill providing the terms of certain bonds to finance improvements to the Commonwealth's transportation system (printed in House, No. 4235), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Dempsey, the bill was read a second time forthwith; and it was ordered to a third reading.

Louise
Moson,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill establishing a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation (House, No. 4280). 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, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Youth
workforce.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 2712, a Bill improving coordination of the youth workforce development system in the Commonwealth (House, No. 4288). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1962, a Bill relative to safe and supportive schools (House, No. 4284). Read; and referred, under Rule 33, to the committee on Ways and Means.

Safe and supportive schools.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to access to a decedent's electronic mail accounts (Senate, No. 2313, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Electronic mail,—access.

Orders of the Day.

The Senate Bill authorizing the lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes (Senate, No. 2215), 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.

Third reading bill.

House bills

Clarifying participation in athletic safety programs (House, No. 2347, changed);

Third reading bills.

Relative to school improvement plans (House, No. 3923);

Authorizing the town of Northborough to convey certain parklands to abutters (House, No. 4075); and

Establishing a sick leave bank for Diane Johnson, an employee of the Department of Revenue (House, No. 4229);

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.

Senate bills

Relative to increasing consumer access to licensed marriage and family therapists (Senate, No. 72); and

Second reading bills.

Designating a portion of the route 128 extension in the city of Gloucester as the Purple Heart Highway (Senate, No. 2286, amended); and

House bills

Relative to increasing consumer access to licensed marriage and family therapists (House, No. 295);

Establishing a regional lockup facility in Suffolk County (House, No. 2919);

Relative to reducing phosphorus runoff (House, No. 3270);

Making faculty sabbatical provisions at state universities consistent with other higher education institutions (House, No. 3805);

Relative to encouraging volunteerism for non-profit organizations providing transportation options for seniors (House, No. 3921);

Authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163);

To allow certain store and shops to open on holidays (House, No. 4173);

Relative to utility service call centers (House, No. 4224); and

Establishing a sick bank for Patricia Morin (House, No. 4262);

Severally were read a second time; and they were ordered to a third reading.

Second reading
bill amended.

The Senate Bill requiring the registration of motor vehicle glass repair shops (Senate, No. 2216, amended), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out section 22 and inserting in place thereof the following:

“SECTION 22. Notwithstanding any general or special law to the contrary, a registered motor vehicle repair shop, as defined in section 1 of chapter 100A of the General Laws, performing motor vehicle glass repair on the effective date of this act shall not be required to register with the division of standards as both a registered motor vehicle repair shop and a registered motor vehicle glass repair shop.”— was adopted.

The bill (Senate, No. 2216, amended) then was ordered to a third reading.

Id.

The House Bill relative to increasing consumer access to licensed marriage and family therapists (House, No. 68), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4247),— was adopted; and the substituted bill was ordered to a third reading.

Id.

The House Bill to establish a lupus erythematosus study and registry (House, No. 1481), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4255),— was adopted; and the substituted bill was ordered to a third reading.

Id.

The House Bill requiring the Department of Public Health to implement a provider choice system for certain vaccines (House, No. 2386), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4251),— was adopted; and the substituted bill was ordered to a third reading.

Second reading
resolve
amended.

The House Resolve providing for an investigation and study by a special commission relative to reducing the costs associated with the purchase of college textbooks (House, No. 4060), was read a second time.

The amendments previously recommended by the committees on Rules of the two branches, acting concurrently,— that the bill be amended in line 12 by striking out the figures “13” and inserting in place thereof the figures “14”, in line 15 by striking out the figure “9” and inserting in place thereof the figures “10”, in line 20 by inserting after the word “commonwealth,” the following: “1 of whom shall be representatives of bookstores of higher education institutions of the commonwealth”,— were adopted.

The resolve (House, No. 4060, amended) then was ordered to a third reading.

The House Bill relative to premature infant hospital discharge and quality improvement (House, No. 3826), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Premature infants,—
hospital discharge.

Pending the question on passing the bill to be engrossed, Mrs. Had-dad of Somerset moved to amend it in section 1, in lines 3 to 17, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following two paragraphs:

“(a) The department shall, in consultation with the department’s multidisciplinary perinatal advisory committee, develop standardized procedures for hospital discharge and follow-up care for premature infants born less than 37 weeks gestational age and shall ensure that standardized and coordinated processes are followed as premature infants leave the hospital from a well baby nursery, step down or transitional nursery or neonatal intensive care unit and transition to follow-up care by a health care or homecare provider. The department and its advisory committee shall utilize national evidence based guidance, including, but not limited to, the Centers for Medicare and Medicaid Services’ Neonatal Outcomes Improvement Project or the Institute for Healthcare Improvement’s national initiative for children’s healthcare quality to establish hospital discharge and follow-up care processes.

The department shall utilize existing perinatal databases, such as the pregnancy to early life longitudinal database to develop a statewide report on the causes and incidence of re-hospitalizations of infants that were born premature at less than 37 weeks gestational age and who are within their first 6 months of life; provided further that the department’s perinatal advisory committee shall use such report in developing their standardized procedures.”

The amendment was adopted; and the bill (House, No. 3826, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the town of Orange to convey a certain parcel of land (House, No. 4009, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Orange,—
land.

Pending the question on passing the bill to be engrossed, Ms. Andrews of Orange moved to amend it in section 2, in line 13, by inserting after the word “acres” the words “more or less”; and by striking out section 3 and inserting in place thereof the following three sections:

“SECTION 3. The proceeds of the disposition of the property in Section 2 after expenses, shall be allocated as follows: (a) 25 per cent shall be remitted to the town water department to be held in the Water Department Land Acquisition Fund dedicated account, established pursuant to section 4, for the specific purpose of land acquisition for water supply purposes; (b) 50 per cent of the amount remaining shall be deposited into the town treasury; and, (c) 50 per cent of the amount remaining shall be remitted to the town of Orange water department enterprise fund to be used generally for water supply purposes and other costs associated with the development of water supply; provided, however, that if the net proceeds of such disposition is equal to or greater than \$1,000,000 no less than \$500,000 shall be expended for the purposes of clauses (a) and (c).

Orange,—
land.

SECTION 4. Notwithstanding the provisions of section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Orange is hereby authorized to establish a Water Department Land Acquisition Fund, which shall be kept separate and apart from all other monies of the town and in which shall be deposited the proceeds of those funds allocated in clause (c) of section 3 for the purpose of said clause. Any interest earned thereon shall be credited to the water department enterprise fund referred to in section 3.

SECTION 5. This act shall take effect upon its passage.”.

The amendments were adopted; and the bill (House, No. 4009, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Chatham,—
charter.

The House Bill relative to the charter of the town of Chatham (House, No. 4141), was read a second time.

Pending the question on ordering the bill to a third reading, it was recommitted to the committee on Municipalities and Regional Government, on motion of Ms. Peake of Provincetown.

State
government
and
finance.

The report of the committee of conference on the disagreeing votes of the two branches with reference to the House amendment of the Senate Bill to improve the administration of state government and finance (Senate, No. 1940), recommending passage of a Bill to improve the administration of state government and finance (Senate, No. 2342), having been accepted by the Senate, was considered.

Conference
committee
report
accepted,—
yea and nay
No. 312.

After remarks on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Kocot of Northampton; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 312 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Wampanoag
Tribal-State
Compact.

The House Resolve relating to the tribal-state compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 4261), was read a second time; and after debate it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O’Day of West Boylston, the resolve, having been reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time forthwith.

Resolve
passed to be
engrossed,—
yea and nay
No. 313.

After remarks on the question on passing the resolve to be engrossed (the Speaker being in the Chair), the sense of the House was taken by yeas and nays, at the request of Ms. Orrall of Lakeville; and on the roll call (Mr. Donato of Medford being in the Chair) 121 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 313 in Supplement.]

Therefore the resolve was passed to be engrossed. Ms. Reinstein of Revere moved that this vote be reconsidered; and the motion to reconsider was negatived. The resolve (printed in House, No. 4261) then was sent to the Senate for concurrence.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment of the House Bill relative to sentencing and improving law enforcement tools (House, No. 3818), recommending that the House recede from its non-concurrence with the Senate in its amendment and concur therein with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4286; and that the Senate concur in the further amendment, was considered [Note: An errata signed by the five conferees who had signed the report and approved by both House and Senate Counsels was submitted prior to a vote on acceptance of the conference report. The errata struck out, in lines 249 and 252, the word "section" and inserted in place thereof, in each instance, the word "subsection"].

Sentencing and law enforcement.

After debate on the question on acceptance of the report, Mr. Peterson of Grafton asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 314.

[See Yea and Nay No. 314 in Supplement.]

Therefore a quorum was present.

The Speaker being in the Chair,—

After remarks on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. O'Flaherty of Chelsea; and on the roll call (Mr. Donato of Medford being in the Chair) 139 members voted in the affirmative and 14 in the negative.

Conference committee report accepted,—
yea and nay
No. 315.

[See Yea and Nay No. 315 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (see House, No. 3909) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Hopkinton,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—
yea and nay
No. 316.

[See Yea and Nay No. 316 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

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.

Mr. Humason of Westfield then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at four minutes before seven o'clock P.M. (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.

Thursday, July 19, 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.

Resolutions.

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

Resolutions (filed by Mr. Ashe of Longmeadow) honoring the rock band Aerosmith; Aerosmith.

Resolutions (filed by Mr. Garballey of Arlington) honoring Nancy Mary Mazerolle McKenna on the occasion of her ninetieth birthday; and Nancy Mary McKenna.

Resolutions (filed by Representatives Swan of Springfield, Coakley-Rivera of Springfield, Puppolo of Springfield and Fox of Boston) congratulating former State Representative Raymond A. Jordan on the occasion of his retirement; Raymond A. Jordan.

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.

Annual Report.

The annual report of the Commission on the Status of Women (under Section 66 of Chapter 3 of the General Laws) for the fiscal year 2012, was placed on file. Status of Women.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Binienda of Worcester and Senator Moore, a joint petition (subject to Joint Rule 12) of John J. Binienda and Michael O. Moore that the Cedar Meadow Lake Watershed District within the town of Leicester be authorized to assess betterments and acquire dams within said town. Leicester,—Meadow Lake.

By Representative Madden of Nantucket and Senator Murray, a joint petition (subject to Joint Rule 12) of Timothy R. Madden, David T. Vieira and Therese Murray that the retirement board in the town of Falmouth be authorized to acquire property and equipment and employ personnel for the administration of the retirement system of said town. Falmouth,—retirement system.

By Mr. Scibak of South Hadley and Senator Rosenberg, a joint petition (subject to Joint Rule 12) of John W. Scibak and Stanley C. Rosenberg for legislation to direct the Commissioner of Capital Asset South Hadley,—land.

Management and Maintenance to convey certain land in the town of South Hadley to said town.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Plymouth,—
charter.

A Bill amending the charter of the town of Plymouth (Senate, No. 2295) (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.

Petitions were referred, in concurrence, as follows:

Seekonk,—
liquor
license.

Petition (accompanied by bill, Senate, No. 2352) of James E. Timilty and Steven S. Howitt (by vote of the town) for legislation to authorize the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises.

Id.

Petition (accompanied by bill, Senate, No. 2353) of James E. Timilty and Steven S. Howitt (by vote of the town) for legislation to authorize the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises.

Severally to the committee on Consumer Protection and Professional Licensure.

West
Stockbridge,—
evictions.

Petition (accompanied by bill, Senate, No. 2351) of Benjamin B. Downing and William Smitty Pignatelli (by vote of the town) for legislation to provide for the establishment and administration of rent regulations and the control of evictions in mobile home accommodations in the town of West Stockbridge. To the committee on Municipalities and Regional Government.

Reports of Committees.

Midwives,—
certification.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to certified professional midwives (House, No. 2368),— and recommending that the same be referred to the committee on Ways and Means, with the amendment previously recommended by the committee on Health Care Financing pending. Under Rule 42, the report was considered forthwith; and it was accepted.

Special
education,—
costs.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4201) of William C. Galvin relative to special education costs,— and recommending that the same be referred to the committee on Education.

Acushnet,—
manufactured
housing.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4221) of Robert M. Koczera (by vote of the town) for legislation to establish rent board for the purpose of regulating rents for the use or occupancy of manufactured housing accommodations in the town of Acushnet,— and recommending that the same be referred to the committee on Housing.

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

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill to curtail tobacco addiction and related health care costs (House, No. 2452), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4291). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently, with the amendment pending.

Tobacco
addiction.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to prevailing wages (House, No. 2306), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4290). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Prevailing
wages.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill to establish a sales tax holiday August [sic] 2012 (printed as Senate, No. 157) ought to pass [Representative Balsler of Newton dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sales tax
holiday.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4246) [Local Approval Received].

Medford,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 3677, a Bill [sic] of special legislation authorizing the town of Braintree to grant additional liquor licenses (House, No. 4292) [Local Approval Received].

Braintree,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 4149, a Bill relative to the town of Fairhaven issuing a package store/all alcohol license (House, No. 4293) [Local Approval Received].

Fairhaven,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 4231, a Bill relative to a liquor license for the Irish Social Club, Inc[sic], in the city of Boston (House, No. 4294) [Local Approval Received].

Boston,—
Irish
Club.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to at risk dogs (House, No. 562, changed in line 87 by inserting after the word "Euthanasia" the following: "may be recommended or mandated as a final solution by the animal control officer, municipal officials or the court. Euthanasia shall be performed by a trained individual following the human standards outlined by the AVMA Panel on Euthanasia. The owner of the dog shall pay the cost to euthanize and dispose of the body.").

Dangerous
dogs.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a joint petition, a Bill authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142) [Local Approval Received].

Hatfield,—
police chief.

By the same member, for the same committee, on a petition, a Bill amending special act, Chapter 327 of the Acts of 1988 to authorize the Orleans, Brewster and Eastham Groundwater Protection District to provide retirement benefits for district employees (House, No. 4175).

Cape Cod,—
retirement
benefits.

Corrections
officers.

By the same member, for the same committee, on a petition, a Bill relative to sons and daughters of corrections officers (House, No. 4182).

Acton,—
energy
fund.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on a joint petition, a Bill establishing the town of Acton energy efficiency fund (House, No. 4106) [Local Approval Received].

Newbury,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Newburyport to acquire interests in land in the town of Newbury (House, No. 4164) [Local Approval Received].

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

Emergency Measure.

State
government
and
finance.

The engrossed Bill to improve the administration of state government and finance (see Senate, No. 2342), 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.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Authorizing the town of Natick to lease certain town-owned property (see House, No. 3870, amended);

Authorizing the town of Natick to lease certain town-owned property (see House, No. 3871, amended); and

Designating a certain overpass in the town of Yarmouth as the Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass (House, No. 4156);

(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.

House bills

Third
reading
bills.

Authorizing the town of Groton, acting by and through its board selectmen and board of water commissioners, to convey a conservation restriction on certain parcels of land to the Division of Fisheries and Wildlife by its department of fish and game (printed in House, No. 3886); and

Prohibiting robocalls to all mobile telephone devices (House, No. 4073);

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 making faculty sabbatical provisions at state universities consistent with other higher education institutes (House, No. 3805), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Third reading bill amended.

Pending the question on passing the bill to be engrossed, Mr. O'Day of West Boylston moved that it be amended by substitution of a bill with the same title (House, No. 4295).

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

Recess.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twelve minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill relative to sentencing and improving law enforcement tools (see House, No. 3818, 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.

Sentencing and law enforcement.

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 2 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

Engrossed Bill.

The engrossed Bill establishing Fragile X Awareness Day (see House, No. 843, amended) (which 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.

Id.

Orders of the Day.

The House Bill relative to life settlements and stranger originated life insurance (House, No. 3877), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Life insurance settlements.

Pending the question on passing the bill to engrossed, Mr. Costello of Newburyport moved to amend it in section 1

In line 8, by inserting after the word "public" the words " , directly or indirectly",

In line 12, by inserting after the word "including" the words " , but not limited to",

In line 28, by inserting after the word "including," the following words "but not limited to",

In line 30, by inserting after the word "law." the following definition:—

Life insurance settlements.

“Fraudulent life settlement act”, (1) acts or omissions committed by a person who, in connection with a life settlement contract, knowingly and with an intent to defraud, for the purpose of depriving another of property or for pecuniary gain, commits or permits its employees or its agents to engage in acts, including, but not limited to, the following:

(i) Presenting, causing to be presented or preparing with knowledge and belief that it will be presented to or by a life settlement provider, premium finance lender, life settlement broker, insurer, insurance producer or any other person, false material information or concealing material information, as part of, in support of or concerning a fact material to 1 or more of the following:

(A) an application for the issuance of a life settlement contract or insurance policy;

(B) the underwriting of a life settlement contract or insurance policy;

(C) a claim for payment or benefit pursuant to a life settlement contract or insurance policy;

(D) premiums paid on an insurance policy;

(E) payments and changes in ownership or beneficiary made in accordance with the terms of a life settlement contract or insurance policy;

(F) the reinstatement or conversion of an insurance policy;

(G) the solicitation, offer to enter into or effectuation of, a life settlement contract or insurance policy;

(H) the issuance of written evidence of life settlement contracts or insurance;

(I) an application for, or the existence of or any payments related to, a loan secured directly or indirectly by any interest in a life insurance policy; or

(J) engaging in stranger-originated life insurance.

(ii) Failing to disclose to the insurer, where the request for such disclosure has been asked for by the insurer, that the prospective insured has undergone a life expectancy evaluation by a person or entity other than the insurer or its authorized representatives in connection with the issuance of the policy. (iii) Employing any device, scheme, or artifice to defraud in the business of life settlements.

(2) acts committed by a person, or that such person permits an employee or agent to commit, in the furtherance of a fraud, or to prevent the detection of fraud:

(i) to remove, conceal, alter, destroy or sequester from the commissioner the assets or records of a licensee or other person engaged in the business of life settlements;

(ii) to misrepresent or conceal the financial condition of a licensee, financing entity, insurer or other person;

(iii) to transact the business of life settlements in violation of laws requiring a license, certificate of authority or other legal authority for the transaction of the business of life settlements;

(iv) to file with the commissioner or the chief insurance regulatory official of another jurisdiction a document containing false information or otherwise concealing information about a material fact from the commissioner;

(v) to engage in embezzlement, theft, misappropriation or conversion of money, funds, premiums, credits or other property of a life set-

tlement provider, insurer, insured, owner, insurance policy owner or other person engaged in the business of life settlements or insurance;

(vi) to knowingly and with an intent to defraud, enter into, broker or otherwise deal in a life settlement contract, the subject of which is a life insurance policy that was obtained by presenting false information concerning any fact material to the policy or by concealing, for the purpose of misleading another, information requested concerning any fact material to the policy, where the owner or the owner's agent intended to defraud the policy's issuer;

(vii) to attempt to commit, assist, aid or abet in the commission of, or conspiracy to commit the acts or omissions specified in this subsection; or

(viii) to misrepresent the state of residence of an owner to be a state or jurisdiction that does not have a law substantially similar to sections 212 to 223H, inclusive, for the purpose of evading or avoiding the provisions of said sections 212 to 223H, inclusive.;

In lines 38, 39 and 40, by striking out the definition contained therein;

In lines 46, 47 and 48, by striking out the definition contained therein and inserting in place thereof the following definition:—

“Life settlement contract”, (a)(1) a written agreement entered into between a life settlement provider and an owner, establishing the terms under which compensation or anything of value shall be paid, which compensation or thing of value is less than the expected death benefit of the insurance policy or certificate, in return for the owner's assignment, transfer, sale, devise or bequest of the death benefit or any portion of an insurance policy or certificate of insurance for compensation; provided, however, that the minimum value for a life settlement contract shall be greater than a cash surrender value or accelerated death benefit available at the time of an application for a life settlement contract;

(2) the transfer for compensation or value of ownership or beneficial interest in a trust or other entity that owns such policy if the trust or other entity was formed or availed of for the principal purpose of acquiring 1 or more life insurance contracts, which life insurance contract insures the life of a person residing in the commonwealth; or

(3) a premium finance loan made for a policy on or before the date of issuance of the policy where: (i) the loan proceeds are not used solely to pay premiums for the policy and any costs or expenses incurred by the lender or the borrower in connection with the financing; (ii) on the date of the premium finance loan, the owner receives a guarantee of the future life settlement value of the policy; or (iii) the owner agrees on the date of the premium finance loan to sell the policy or a portion of its death benefit on any date following the issuance of the policy.

(b) A life settlement contract shall not include:

(1) a policy loan by a life insurance company pursuant to the terms of the life insurance policy or accelerated death provisions contained in the life insurance policy, whether issued with the original policy or as a rider;

(2) a premium finance loan or a loan made by a bank or other licensed financial institution; provided that neither a default on such loan nor the transfer of a policy in connection with such default is pur-

Life insurance settlements.

suant to an agreement or understanding with another person for the purpose of evading regulation under sections 212 to 223H, inclusive;

(3) a collateral assignment of a life insurance policy by an owner;

(4) a loan made by a lender pursuant to chapter 255C; provided, however, that such loan is not described in paragraph (a)(3) and is not otherwise within the definition of life settlement contract;

(5) an agreement where all parties: (i) are closely related to the insured by blood or law; or (ii) have a lawful substantial economic interest in the continued life, health and bodily safety of the person insured, or are trusts established primarily for the benefit of such parties;

(6) a designation, consent or agreement by an insured who is an employee of an employer in connection with the purchase by the employer or trust established by the employer, of life insurance on the life of the employee;

(7) a bona fide business succession planning arrangement: (i) between 1 or more shareholders in a corporation or between a corporation and 1 or more of its shareholders or 1 or more trusts established by its shareholders; (ii) between 1 or more partners in a partnership or between a partnership and 1 or more of its partners or 1 or more trusts established by its partners; or (iii) between 1 or more members in a limited liability company or between a limited liability company and 1 or more of its members or 1 or more trusts established by its members;

(8) an agreement entered into by a service recipient or a trust established by the service recipient and a service provider, or a trust established by the service provider that performs significant services for the service recipient's trade or business; or

(9) any other contract, transaction or arrangement from the definition of life settlement contract that the commissioner determines is not of the type intended to be regulated by sections 212 to 223H, inclusive.

(c) An insurer that issued a policy that is the subject of a life settlement contract shall not be responsible for any act or omission of a life settlement broker, life settlement provider or purchaser arising out of, or in connection with, the life settlement transaction, unless the insurer receives compensation for the placement of the life settlement contract from the life settlement provider, life settlement broker or purchaser.,

In line 55, by inserting before the word "person" the word "natural",

In lines 105 to 113, inclusive, by striking out the definition contained therein and inserting in place thereof the following definition:—

"Stranger-originated life insurance", an act, practice or arrangement to initiate the issuance of a life insurance policy for the benefit of a third-party investor who, at the time of policy origination, has no insurable interest in the life of the insured. Such acts, practices or arrangements include, but are not limited to, cases in which life insurance is purchased with resources or guarantees from or through a person, who, at the time of policy inception, could not lawfully initiate the policy and where, at the time of inception, there is an arrangement or agreement, whether verbal or written, to directly or indirectly transfer the ownership of the policy or the policy benefits to a third party. Trusts that are created to give the appearance of insurable interest and that are used to initiate policies for investors violate insurable interest laws and the prohibition against wagering on life. Stranger-originated life insur-

ance arrangements shall not include lawful life settlement contracts as permitted by sections 212 to 223H, inclusive, or those practices set forth in subsection (b) of the definition of life settlement contract, provided that such life settlement contracts or practices are not part of a transaction otherwise prohibited by sections 212 to 223H, inclusive.

By striking out the text contained in lines 116 to 166, inclusive,

In line 171, by inserting after the figure “7” the words “; provided, however that the term and fees for a life settlement provider license shall be equal to that of a foreign stock life insurance company and the term and fees of a life settlement broker license shall be equal to that of an insurance producer license”,

In line 196, by striking out the words “of life settlements” and inserting in place thereof the words “for which the license is applied”, and

In lines 670 to 721, inclusive, by striking out subsection 223B and inserting in place thereof the following subsection:

“Section 223B. A person shall not commit a fraudulent life settlement act.”; and

In section 3, in line 907, by striking out the year “2012” and inserting in place thereof the year “2013”.

The amendments were adopted; and the bill (House, No. 4296, published as amended) 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 Monday next at eleven o’clock A.M. Next sitting.

At twenty-eight minutes before four o’clock P.M., on motion of Mr. Peterson of Grafton (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.

Monday, July 23, 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.

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

Mark
Mills.

Resolutions (filed by Ms. Ehrlich of Marblehead) congratulating Captain Mark Dennett Mills on his retirement from the Marblehead Police Department; and

Benjamin
Kerrigan.

Resolutions (filed by Mrs. Garlick of Needham) congratulating Benjamin Joseph Kerrigan on receiving the Eagle Award of the Boy Scouts of America;

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

Communication.

Renewable
Heating and
Cooling.

A communication from the Department of Energy Resources submitting a report entitled "Massachusetts Renewable Heating and Cooling: Opportunities and Impacts Study", was placed on file.

Special Reports.

Unemployment
Trust Fund.

A monthly report of the Executive Office of Labor and Workforce Development (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for June, 2012;

Id.

A quarterly report of the Executive Office of Labor and Workforce Development (under the provisions of Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund;

Annual reports

Charitable
gaming.

Of the State Lottery Charitable Gaming Division (under the provision of Section 38 of Chapter 10 of the General Laws) for the fiscal year 2010;

Commissioner
of Banks.

Of the Commissioner of Banks (pursuant to Section 13 of Chapter 167 of the General Laws) for the year 2010; and

Postpartum
depression.

Of the special commission established (pursuant to Chapter 313 of the Acts of 2010) to make an investigation and study of the issue of post-

partum depression [copies of said report forwarded to the committees on Health Care Financing and Public Health].

Severally were placed on file.

Petition.

Mr. Rogers of Norwood and Senator Rush presented a joint petition (subject to Joint Rule 12) of John H. Rogers and Michael F. Rush for legislation to provide remedies to consumers for clearing titles after the payoff of mortgages; and the same was referred, under Rule 24, to the committee on Rules.

Mortgage payoffs,— titles.

Papers from the Senate.

The House Bill authorizing the town of Hull to extend the lease of a certain building in the town (House, No. 3650), 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 following:

Hull,— land.

“SECTION 1. The town of Hull, acting by and through its board of selectmen, may, subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws, extend the lease of the property located at 435 Nantasket avenue, known as the ‘Scout Building’, and shown as plot 24 on assessors map 28 to the current lessees or their successors and assigns for not more than 25 years and on such terms and conditions as the board of selectmen considers to be in the best interests of the town for the benefit of the community.

SECTION 2. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Bradley of Hingham, 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.

The House Bill establishing a sick leave bank for Lawrence Marino, an employee of the Massachusetts Department of Transportation (House, No. 4158, amended), came from the Senate passed to be engrossed, in concurrence, with amendments in lines 1 and 2, striking out the words “Massachusetts Department of Transportation” and inserting in place the words “registry of motor vehicles”; in lines 3, 6, and 7, striking out the word “department”, each time it appears, and inserting in place thereof the word “registry”; striking out the emergency preamble and inserting in place the following emergency preamble:

Lawrence Marino,— sick leave bank.

“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 place the following title: “An act establishing a sick leave bank for Lawrence Marino, an employee of the Registry of Motor Vehicles.”

Under suspension of Rule 35, on motion of Ms. Reinstein of Revere, 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.

Bills

Snow
removal.

Relative to performance guarantees for costs of snow removal on certain subdivision roadways (Senate, No. 1564) (on a petition);

Lowell,—
land.

Authorizing the Division of Capital Asset Management to grant to the city of Lowell easements over certain parcels of land (Senate, No. 2233) (on a petition);

Long-term
care insurance.

To establish standards for long-term care insurance (Senate, No. 2359) (on Senate, No. 2134);

Geography.

Relative geography education (Senate, No. 2361) (on Senate bill No. 2194);

Childhood
vaccine.

Establishing the Massachusetts childhood vaccine program (Senate, No. 2362) (on Senate bill No. 2120); and

Oral
cancer.

Relative to oral cancer therapy (Senate, No. 2363) (on Senate bill No. 1070);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Uxbridge,—
park.

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (Senate, No. 361) (on a petition);

Half-staff
flags.

Authorizing flying the flag of the Commonwealth at half-staff upon the death of certain police officers and firefighters (Senate, No. 1573) (on a petition);

Tax board,—
hearings.

Providing taxpayers a hearing at the appellate tax board (Senate, No. 2187) (on a petition); and

Hinsdale,—
Johns
Highway.

Designating a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns Memorial Highway (Senate, No. 2292) (on a petition);

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.

Lactation
consultants,—
regulate.

A petition (accompanied by bill) of Susan C. Fargo, Jennifer E. Benson and Denise Provost for legislation to regulate the practice and licensure of lactation consultants, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Public Health.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2373) was referred, in concurrence, to the committee on the Public Health.

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 following petitions:

Leicester,—
betterments
and dams.

Joint petition (accompanied by bill) of John J. Binienda and Michael O. Moore that the Cedar Meadow Lake Watershed District within the town of Leicester be authorized to assess betterments and acquire dams within said town. To the committee on Revenue.

Halifax,—
land.

Joint petition (accompanied by bill) of Thomas J. Calter (by vote of the town) relative to authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax [Local Approval Received]; and

Joint petition (accompanied by bill) of John W. Scibak and Stanley C. Rosenberg for legislation to direct the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley to said town; South Hadley,—
land.

Severally to the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Walsh of Lynn, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Hingham to transfer and change the use of certain parcels of land in the town (House, No. 4275) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hingham,—
land.

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

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

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the change of use and the lease of certain land in the town of Lenox for a solar powered generation facility (House, No. 4277) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Lenox,—
land.

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

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

Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (House, No. 4278) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Lee,—
land.

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

Under suspension of the rules, on motion of Mr. Kafka, 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 House bills be scheduled for consideration by the House:

To establish a sales tax holiday August [sic] 2012 (printed as Senate, No. 157); Tax holiday.

Designating a certain bridge in the town of Billerica in honor of William G. Greene, Jr. (House, No. 1802); and Billerica,—
Greene bridge.

Authorizing the city of Newburyport to acquire interests in land in the town of Newbury (House, No. 4164); Newburyport,—
Newbury land.

Under suspension of Rule 7A, 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.

Boston
Housing
Authority.

Report of the committee on Housing, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4008) of Kevin G. Honan (with the approval of the mayor and city council) relative to a form of governance for the Boston Housing Authority. Under suspension of the rules, on motion of Mr. Honan of Boston, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Milk
producers.

Relative to the milk producer's security fund reimbursement (House, No. 240);

Danvers,—
land.

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers located along Maple Street (House, No. 847);

Meat and
poultry.

To strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351); and

Topsfield,—
land.

Discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the Division of Capital Asset Management to convey and grant all right, title, and interest in said discontinued portion to abutters (House, No. 3999);

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

Horseneck
Beach,—
fund.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill establishing a Horseneck Beach Reservation Trust Fund (Senate, No. 376, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4297.

Surgical
technology.

By the same member, for the same committee, that the Senate Bill regulating surgical technology (Senate, No. 2058), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4298.

911
emergency
communications
districts.

By the same member, for the same committee, that the Senate Bill relative to regional 911 emergency communication districts (Senate, No. 2248, amended), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4299.

Worcester,—
land.

By the same member, for the same committee, that the Senate Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250), ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4300.

Legal
investments.

By the same member, for the same committee, that the Bill relative to the list of legal investments prepared by the Commissioner of Banks

(House, No. 290), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4301).

By the same member, for the same committee, that the Bill authorizing the commissioner of capital asset management and maintenance to convey certain land in the town of Wilmington (House, No. 832, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4302).

Wilmington,—
land.

By the same member, for the same committee, that the Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4303).

Debt
management.

By the same member, for the same committee, that the Bill establishing a temporary workers right to know (House, No. 4076), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4304).

Temporary
workers.

By the same member, for the same committee, that the Bill prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4305).

Mercury
thermostats.

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

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to health insurance for elected officials in the town of Harwich (House, No. 4210) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee to Health Care Financing.

Harwich,—
elected
officials.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (printed in House, No. 4134).

Blackstone,—
town
election.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at a certain election held in the town of Lincoln (printed in House, No. 4135).

Lincoln,—
land.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the city of Springfield to exchange parcels of land (House, No. 4169) [Local Approval Received].

Springfield,—
land.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Fairhaven to grant an easement over certain [sic] (House, No. 4172) [Local Approval Received].

Fairhaven,—
land.

By the same member, for the same committee, on a petition, a Bill regarding the town of Marion Open Space Acquisition Commission (House, No. 4188) [Local Approval Received].

Marion,—
open space
commission.

By the same member, for the same committee, on a petition, a Bill establishing a charter for the town of Hubbardston (House, No. 4209) [Local Approval Received].

Hubbardston,—
charter.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Westborough (House, No. 4211) [Local Approval Received].

Westborough,—
land.

Cohasset,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230) [Local Approval Received].

Oakham,—
treasurer-
collector.

By the same member, for the same committee, on a petition, a Bill establishing the position of treasurer-collector in the town of Oakham (House, No. 4232) [Local Approval Received].

Plympton,—
fund.

By the same member, for the same committee, on a joint petition, a Bill relative to a special fund in the town of Plympton (House, No. 4276) [Local Approval Received].

Wales,—
library
fund.

By the same member, for the same committee, on a joint petition, a Bill creating a library building fund for the town of Wales (House, No. 4282) [Local Approval Received].

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

Engrossed Bills.

Engrossed bills

Bills
enacted.

Designating a state road in the city of Waltham as Landry Way (see House, No. 920); and

Exempting the positions of Plumbing Inspector and Gas Fitting Inspector in the city of Newburyport from the civil service law and section 11 of chapter 142 of the General Laws (see House, No. 3848);

(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.

House bills

Third
reading
bills.

Authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163); and

Establishing a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation (House, No. 4280);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed. Sent to the Senate for concurrence.

Phosphorus
runoff.

The House Bill relative to reducing phosphorus runoff (House, No. 3270), 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, Mr. Fernandes of Milford moved to amend it by substitution of a bill with the same title (House, No. 4306).

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,—

Next
sitting.

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

MONDAY, JULY 23, 2012.

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At twenty-three minutes after eleven o'clock A.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.

Tuesday, July 24, 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.

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

Martin A.
Sokoloff.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Dr. Martin A. Sokoloff on the occasion of his ninetieth birthday;

David
Frongillo.

Resolutions (filed by Mr. Fernandes of Milford) congratulating David Frongillo on earning the Eagle Scout Award;

Milford,—
softball
team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating the Milford High School Scarlet Hawks softball team on winning the Massachusetts Division 1 championship;

Patrick
Reimonn.

Resolutions (filed by Representatives Fernandes of Milford and Dykema of Holliston) congratulating Patrick Reimonn on earning the Eagle Scout Award; and

Dominika
Ziu.

Resolutions (filed by Mr. Fresolo of Worcester) congratulating Dominika Ziu on the occasion of her ninetieth birthday;

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. Reinstein of Revere, 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:

North
Andover,—
liquor
license.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4308) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to authorize the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premise; and

Norfolk,—
alcoholic
beverages.

By Mr. Winslow of Norfolk, a petition (accompanied by bill, House, No. 4309) of Daniel B. Winslow (by vote of the town) for legislation to authorizing the town of Norfolk to grant an additional alcoholic beverage license for the sale of all alcoholic beverages not to be drunk on premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Kingston,—
sewer system.

By Representative Calter of Kingston and Senator Murray, a joint petition (accompanied by bill, House, No. 4310) of Thomas J. Calter

and Therese Murray (by vote of the town) relative to regulating the grant of sewer system connections by the Board of Sewer Commissioners of the town of Kingston;

By Mr. Fallon of Malden, a petition (accompanied by bill, House, No. 4311) of Christopher G. Fallon and others (with the approval of the mayor and city council) relative to reorganizing certain administrative functions in the city of Malden; Malden,—
reorganization.

By Mr. Fallon of Malden, a petition (accompanied by bill, House, No. 4312) of Christopher G. Fallon and others (with the approval of the mayor and city council) relative to amending the administrative organization of financial officers in the city of Malden; Id.

By Representative Frost of Auburn and Senator Moore, a joint petition (accompanied by bill, House, No. 4313) of Paul K. Frost, Richard T. Moore and others (by vote of the town) relative to amending the charter of the town of Oxford; Oxford,—
charter.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4314) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to amend the charter of the town of North Andover; and North
Andover,—
charter.

By Representatives Wong of Saugus and Reinstein of Revere, a petition (accompanied by bill, House, No. 4315) of Donald H. Wong, Kathi-Anne Reinstein and Thomas M. McGee (by vote of the town) for legislation to authorize the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits; Saugus,—
annual
audits.

Severally to the committee on Municipalities and Regional Government.

By Mr. Torrisi of North Andover, a petition (accompanied by bill, House, No. 4316) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to exempt certain positions in the town of North Andover from the civil service law. To the committee on Public Service. North
Andover,—
civil
service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Sánchez of Boston, a petition (subject to Joint Rule 12) of Jeffrey Sánchez (with the approval of the mayor and city council) relative to public health data sharing between the Department of Public Health and the Boston Public Health Commission. Boston,—
public
health data.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh for legislation to establish a sick leave bank for Marilyn Smith, an employee of the Massachusetts Bay Transportation Authority. Marilyn
Smith,—
sick leave.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), 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 2366; and inserting before the enacting clause the following emergency preamble: Economic
growth.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a business-friendly environ-

Economic growth.

ment that will stimulate job growth and improve the ease with which businesses can operate in the markets they serve, and to coordinate economic development activities funded by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Conference committee.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner, Dempsey of Haverhill and Kuros of Uxbridge were appointed the committee on the part of the House. Sent to the Senate to be joined.

Id.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Candaras, Brewer and Ross had been appointed the committee on the part of the Senate.

Hingham,—
Bathing
Beach
Bathhouse.

The House Bill providing for the lease and refurbishment of the Bathing Beach Bathhouse in the town of Hingham (House, No. 3856), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following paragraph:

“A lease entered into pursuant to this act shall be subject to chapter 30B of the General Laws.”

Under suspension of Rule 35, on motion of Mr. Bradley of Hingham, 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.

Sutton,—
easements.

A Bill relative to the conveyance of easements in the town of Sutton (Senate, No. 2369) (on Senate bill No. 2172), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Falmouth,—
retirement
board.

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 Timothy R. Madden, David T. Vieira and Therese Murray that the retirement board in the town of Falmouth be authorized to acquire property and equipment and employ personnel for the administration of the retirement system of said town. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Temporary workers.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a temporary workers right to know (House, No. 4076), be scheduled for consideration by the House, with the amendment previously recommended by the committee on

Ways and Means,— to amend the bill by substitution of a bill with the same title (House, No. 4304),— pending.

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means, then was adopted; and the bill was ordered to a third reading.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to manufacturers' coupons and rebates (House, No. 1216), ought to pass [Cost: Greater than \$100,000]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Manufacturer's coupons.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 176 and House, Nos. 1936 and 4003, a Bill relative to background checks (House, No. 4307). Read; and referred, under Rule 33, to the committee on Ways and Means.

Teachers,— background checks.

By Mr. Honan of Boston, for the committee on Housing, on a recommended petition, a Bill relative to a form of governance for the Boston Housing Authority (House, No. 4008) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston Housing Authority.

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:

Amending the charter of the town of Plymouth (Senate, No. 2295) [Local Approval Received]; and

Plymouth,— charter.

Authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4246) [Local Approval Received];

Medford,— liquor license.

Under suspension of Rule 7A, 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.

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

Senate bills

Establishing a Horseneck Beach Reservation trust Fund (Senate, No. 376, amended), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4297,— pending;

Horseneck Beach.

Regulating surgical technology (Senate, No. 2058), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4298,— pending;

Surgical technology.

Relative to regional 911 emergency communication districts (Senate, No. 2248, amended), with an amendment previously recommended by

911 emergency communication districts.

the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4299,— pending; and

Worcester,—
land.

Authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4300,— pending; and

House bills

Legal
investments.

Relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 290), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4301),— pending;

State group
health
insurance.

Relative to eligibility for state group health insurance (House, No. 704), with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4217),— pending;

Wilmington,—
land.

Authorizing the commissioner of capital asset management and maintenance to convey certain land in the town of Wilmington (House, No. 832, changed), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4302),— pending.;

Prevailing
wage.

Relative to prevailing wage (House, No. 2306), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4290),— pending;

Workplace
safety.

To promote health through workplace safety for social workers (House, No. 3864), with an amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4254),— pending;

Debt
management
services.

Relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4304),— pending; and

Mercury
thermostats.

Prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4305),— pending;

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

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

Senate bills

Ashburnham.

Authorizing the town of Ashburnham to dispose of certain equipment (Senate, No. 2271) [Local Approval Received]; and

Electronic
mail accounts.

Relative to access to a decedent's electronic mail accounts (Senate, No. 2313, amended); and

House bills

- Relative to the milk producer's security fund reimbursement (House, No. 240); Milk fund.
- Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers located along Maple Street (House, No. 847); Danvers,—land.
- Requiring pain assessment and management in healthcare facilities (House, No. 1489); Pain assessment.
- To strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351); Meat and poultry.
- Discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the division of capital asset management to convey and grant all right, title, and interest in said discontinued portion to abutters (House, No. 3999); Topsfield,—land.
- Establishing the town of Acton energy fund (House, No. 4106) [Local Approval Received]; Acton.
- Authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142) [Local Approval Received]; Hatfield,—Thomas Osley.
- Regarding an analysis of health education in the Commonwealth (House, No. 4148); Health education.
- Authorizing the city of Springfield to exchange parcels of land (House, No. 4169) [Local Approval Received]; Springfield,—land.
- Authorizing the town of Fairhaven to grant an easement over certain (House, No. 4172) [Local Approval Received]; Fairhaven,—land.
- Amending special act, chapter 327 of the acts of 1988 to authorize the Orleans, Brewster and Eastham groundwater protection district to provide retirement benefits for district employees (House, No. 4175); Cape Cod groundwater.
- Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4213) [Local Approval Received]; Gardner,—civil service.
- Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4214) [Local Approval Received]; Id.
- Authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230) [Local Approval Received]; Cohasset,—land.
- Of special legislation authorizing the town of Braintree to grant additional liquor licenses (House, No. 4292) [Local Approval Received]; Braintree,—liquor license.
- Relative to the town of Fairhaven issuing a package store/all alcohol license (House, No. 4293) [Local Approval Received]; and Fairhaven,—liquor license.
- Relative to a liquor license for the Irish Social Club, Inc, in the City of Boston (House, No. 4294) [Local Approval Received]; Boston,—liquor license.
- Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Lawrence Marino, an employee of the Registry of Motor Vehicles (see House, No. 4158, 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 9 to 0. Sent to the Senate for concurrence. Lawrence Marino,—sick leave bank.

Orders of the Day.

House bills

Third
reading
bills.

Authorizing the town of Sharon to issue licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4273); and

Authorizing the town of Hingham to transfer and change the use of certain parcels of land in the town (House, No. 4275); and

Authorizing the change of use and the lease of certain land in the town of Lenox for a solar powered generation facility (House, No. 4277);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Caterers,—
licenses.

The Senate Bill providing for annual caterer's licenses for the service of alcoholic beverages at private functions (Senate, No. 2063, 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, Representatives Poirier of North Attleborough, Moran of Boston and Ross of Attleboro moved to amend it in line 13 by inserting after the figure "18" the following "or a retailer licensed pursuant to section 15.". The amendment was rejected.

The bill (Senate, No. 2063, amended) then was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on tomorrow at one o'clock P.M.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at one o'clock P.M.

Wednesday, July 25, 2012.

Met according to adjournment at one o'clock P.M., 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 (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the exchange of land in the town of Rockland (House, No. 4327), was filed in the office of the Clerk on Tuesday, July 24, 2012.

Rockland,—
land.

The message was read; and it was referred, under Rule 30, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Silent Prayer.

The Speaker being in the Chair,— the members, guests and employees stood in a moment of silent prayer in memory of those who had died, and in hope for a swift and complete recovery for the surviving victims, in the recent tragedy in Aurora, Colorado.

Aurora,
Colorado
victims.

Statement Concerning Representative Crendon of Brockton.

A statement of Mrs. Haddad of Somerset concerning Mrs. Crendon of Brockton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Crendon of Brockton, is unable to be present in the House Chamber for today's sitting due to a medical appointment. Her missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Mrs. Crendon
of Brockton.

Guests of the House.

During the session the Speaker declared a recess and introduced U.S. Army Specialist Donald Jarvis and his parents Donna and Michael Jarvis of Haverhill. Army Specialist Jarvis served with the 182nd Engineer Company, 1203rd Engineer Battalion during Operation Iraqi Freedom from September 2007 to May 2008. He also served in Kandahar, Afghanistan from November 2011 until February 2012 when a road side bomb exploded under his vehicle, rolling it over. Army Specialist Jarvis is currently serving with the Wounded Warriors Transition Center at Fort Belvoir, VA where he is receiving treatment for a knee and traumatic brain injury that he suffered while serving in Afghanistan.

U.S. Army
Specialist
Donald
Jarvis.

They are the cousins and guest of Representative Dempsey of Haverhill.

Steve and Lisa
Xiarhos
and
Dominic
Davilla.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Steve and Lisa Xiarhos of Yarmouth Port and Dominick Davilla, Sr., of Chicago, Illinois, the parents of United States Marine Corps Corporals Nicholas G. Xiarhos and Dominic Davilla, who died in July of 2009, of wounds sustained while supporting combat operations in the Helmand Province of Afghanistan. They were present in the State House to witness the signing by the Governor of legislation designating a certain overpass in the town of Yarmouth as the Marine Corporal Nicholas G. Xiarhos Veterans Memorial Overpass. They were the guests of Representatives Atsalis of Barnstable and Turner of Dennis.

Resolutions.

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

Legislative
Leaders
Foundation.

Resolutions (filed by Mr. Diehl of Whitman and other members of the House) congratulating the State Legislative Leaders Foundation on the occasion of its fortieth anniversary; and

Jamaican
Independence.

Resolutions (filed by Ms. Fox of Boston) celebrating Jamaica's fifty years of independence;

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

Petitions.

Shrewsbury,—
land.

Representative Beaton of Shrewsbury and Senator Moore presented a joint petition (subject Joint Rule 12) of Matthew A. Beaton and Michael O. Moore (by vote of the town) relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury; and the same was referred, under Rule 24, to the committee on Rules.

Deceptive
business
practices.

Mr. Binienda of Worcester presented a petition (subject to Joint Rule 12) of John J. Binienda relative to unfair or deceptive business practices; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Sánchez of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Papers from the Senate.

Transportation,—
improvements.

The House Bill financing improvements to the Commonwealth's transportation system (House, No. 4193), 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 2376.

Under suspension of the rules, on motion of Mr. Straus of Matapoisett, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Straus, Kulik of Worthington and Howitt of Seekonk were appointed the committee on the part of the House. Sent to the Senate to be joined.

Conference
committee.

The House Bill relative to public access to private restrooms (House, No. 2366), came from the Senate passed to be engrossed, in concurrence, with amendments in line 14 striking out the word “two” and inserting in place thereof the word “three”; and in line 19 striking out the word “establishment” and inserting in place thereof the following: “establishment; and (5) a public restroom is not immediately accessible to the customer”.

Private
restrooms.

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, 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 relative to the regulation of cyber cafes (House, No. 3765), came from the Senate passed to be engrossed, in concurrence, with amendments in line 44 striking out the word “or;” and also in line 44 by inserting after “chapter 271” the following: “; or (5) by any retailer whose primary business is the sale of groceries, whereby the sweepstakes is directly related to the sale of groceries and the potential prize provided through the sweepstakes may not be redeemed for cash and may only be used as a discount to reduce the price of items purchased from the retailer”.

Cyber cafe.

Under suspension of Rule 35, on motion of Mr. DeLeo of Winthrop, 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 relative to early education and care by family child care providers (House, No. 3986), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 87, striking out the date “July 1, 2012” and inserting in place thereof the date “January 1, 2013.”

Child care
providers.

Under suspension of Rule 35, on motion of Mr. Khan of Newton, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Mr. Peterson then moved that the House concur with the Senate in its amendment with a further amendment by inserting after section 2 the following section:

“SECTION 2A. Chapter 149 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out section 148B and inserting in place thereof the following section:—

Section 148B. (a) For the purpose of this chapter and chapter 151, an individual performing any service, except as authorized under this

Child care providers.

chapter, shall be considered to be an employee under those chapters unless:—

(1) the individual is free from control and direction in connection with the performance of the service, both under his contract for the performance of the service and in fact; and

(2) the service is performed outside the usual course of the business of the employer or the service is performed within the usual course of business of the employer and is distinguishable from similar services performed by employees; and

(3) the individual is customarily engaged in an independently established trade, occupation, profession or business of the same nature as that involved in the service performed; and

(4) the individual is free to perform services for persons other than the employer, both under his contract for the performance of the service and in fact; and

(5) the individual uses a federal tax identification number other than his social security number when compensated for the performance of the service.

If the service is performed within the usual course of business of the employer, the individual and employer must specify in writing, signed under the pains the penalties of perjury, how the service is distinguishable from similar services performed by employees, including but not limited to the skills required to perform the service that employees do not have and the skill the individual has to perform the service. Said written agreement shall also be of a defined duration for the performance of a defined service and shall address any creation of and rights to intellectual property.

The employer may not waive its liability for injuries the individual may incur in the course of performing the service.

This subsection shall not apply to an individual who has been coerced, threatened or intimidated into establishing an independent contractor relationship.

(b) The failure to withhold federal or state income taxes or to pay unemployment compensation contributions or workers' compensation premiums with respect to an individual's wages shall not be considered in making a determination under this section.

(c) An individual's exercise of the option to secure workers' compensation insurance with a carrier as a sole proprietor or partnership pursuant to subsection

(4) of section 1 of chapter 152 shall not be considered in making a determination under this section.

(d) Notwithstanding the provisions of this section, an individual who is a party to a franchise agreement under which a person or entity licenses or authorizes the individual to sell products or services in accordance with prescribed methods and procedures and under service marks, trademarks, trade names and other intellectual property licensed under such agreement shall not be considered an employee of the person or entity that grants the license or authorization. For purpose of this section, franchise shall have the meaning given to it by the Federal Trade Commission.

(e) Notwithstanding the provisions of this section, a person with a license issued by the commonwealth who performs services as part of a program funded by the commonwealth and who is customarily

engaged in an independently established trade, occupation, profession or business shall not be considered an employee of the commonwealth or any entity which has a contract with the commonwealth to administer or provide support services for the program.

(f) Notwithstanding the provisions of this section, an individual who provides foster care services for children or adults in his own residence and who is licensed or authorized by an agency of the commonwealth or a private placement agency on behalf of the commonwealth, including the department of children and families and the department of developmental services, shall not be considered an employee of the commonwealth or any such placement agency.

(g) Whoever fails to properly classify an individual as an employee according to this section and in so doing fails to comply, in any respect, with chapter 149, or section 1, 1A, 1B, 2B, 15 or 19 of chapter 151, or chapter 62B, shall be punished and shall be subject to all of the criminal and civil remedies, including debarment, as provided in section 27C of this chapter. Whoever fails to properly classify an individual as an employee according to this section and in so doing violates chapter 152 shall be punished as provided in section 14 of said chapter 152 and shall be subject to all of the civil remedies, including debarment, provided in section 27C of this chapter. Any entity and the president and treasurer of a corporation and any officer or agent having the management of the corporation or entity shall be liable for violations of this section.

(h) Nothing in this section shall limit the availability of other remedies at law or in equity.”.

Mr. O’Day of Worcester thereupon raised a point of order that the further amendment offered by the gentleman from Grafton was improperly before the House for the reason that it was beyond the scope of the pending Senate amendment.

Point of order.

The Chair (Mr. Donato of Medford) ruled that the point of order was well taken; and the further amendment was laid aside accordingly.

The House then concurred with the Senate in its amendment.

Bills

Establishing the 104th fighter wing fire department (Senate, No. 2208, amended by striking out sections 13 and 16) (on a petition);

104th fighter wing.

Relative to water conservation (Senate, No. 2370, amended in section 2, in line 20, by striking out the words “reasonable fee” and inserting in place thereof the words “minimal fee which shall reflect the costs of accepting and processing such documentation”) (on Senate bill No. 327); and

Water conservation.

To protect public water supply land (Senate, No. 2371) (on Senate bill 328);

Water supply land.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill establishing uniform wage compliance and record keeping and extending the statute of limitations on civil and criminal actions alleging a violation of the fair wage and hours laws (Senate, No. 924) (on a petition), came from the Senate passed to be engrossed; and was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Uniform wage compliance.

Milton,—
civil service.

A petition (accompanied by bill, Senate, No. 2368) of Brian A. Joyce and Walter F. Timitly (by vote of the town) for legislation to exempt certain position in the town of Milton from the civil service law, was referred, in concurrence, to the committee on Public Service.

New Bedford,—
land.

A petition (accompanied by bill) of Mark C. Montigny and Antonio F. D. Cabral (with the approval of the mayor and city council) for legislation to authorize the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2367) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

By Mr. Binienda of Worcester, for the committees on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Boston,—
public health
data.

Petition (accompanied by bill) of Jeffrey Sánchez (with the approval of the mayor and city council) relative to public health data sharing between the Department of Public Health and the Boston Public Health Commission. To the committee on Public Health.

Repeat
offenders,—
licenses.

Petition (accompanied by bill) of William Smitty Pignatelli for legislation to require specially marked licenses for repeat operating under the influence offenders. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. Sánchez of Boston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Mortgages,—
clearing
titles.

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 John H. Rogers and Michael F. Rush for legislation to provide remedies to consumers for clearing titles after the payoff of mortgages. Under suspension of the rules, on motion of Mr. Rogers of Norwood, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Supplemental
appropriations,—
procedures.

By Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4324) (for order, see House, No. 4325). The order was considered forthwith; and it was adopted.

Registrar of
Motor
Vehicles,—

By Mr. Straus of Mattapoisett, for the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3083) of James M. Murphy for legis-

lation to require the Registrar of Motor Vehicles to collect emergency contact information from certain persons,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

emergency
contact
information.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4285, reported, in part, a Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4324) [Total appropriations: \$42,217,015.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental
appropriations.

Mr. Kafka of Stoughton, for said committee, 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. Dempsey of Haverhill, for the committee on Ways and Means, that the House Bill relating to comprehensive protection from childhood sexual abuse (House, No. 469), ought to pass with an amendment by substituting therefor a Bill relative to comprehensive protection from childhood sexual abuse (House, No. 4326). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Childhood
sexual
abuse.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House, with the amendment pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill (House, No. 4326) was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Mariano of Quincy, the bill (having been 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, Mr. Mariano moved to amend it by substitution of a bill with the same title (House, No. 4329). The amendment was adopted; and the substituted bill was passed to be engrossed. Mr. Bradley of Hingham moved that this vote be reconsidered; and the motion to reconsider was negatived. The bill (House, No. 4329) then was sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill authorizing the division of capital asset management to grant to the city of Lowell easements over certain parcels of land (Senate, No. 2233), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lowell,—
land.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bills.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Lawrence Marino, an employee of the Registry of Motor Vehicles (see House, No. 4158, amended) (which 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
Relative to the transfer of certain insurance policies among certain insurance company affiliates (see House, No. 3791); and
Relative to the management of town buildings, properties and facilities in the town of Foxborough (see House, No. 4052);
(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.

Engrossed Bills — Land Takings.

Reading,—
easement.

The engrossed Bill authorizing the town of Reading to grant a utility easement over certain parcels of land (see House, No. 4170, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 317.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (the Speaker being in the Chair) 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 317 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Bourne
Water
District,—
land.

The engrossed Bill authorizing a lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes (see Senate, No. 2215) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 318.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 318 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Hull,—
building
lease.

The engrossed Bill authorizing the town of Hull to extend the lease of a certain building in the town (House, No. 3650, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 319.

[See Yea and Nay No. 319 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Nantucket Islands Land Bank to sell, convey or otherwise dispose of certain land situated in the town of Nantucket (see House, No. 3836) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Nantucket
Islands
Land Bank,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 320.

[See Yea and Nay No. 320 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill providing for the lease and refurbishment of the Bathing Beach Bathhouse in the town of Hingham (see House, No. 3856, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Hingham,—
Bathing Beach
Bathhouse.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 321.

[See Yea and Nay No. 321 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Chelmsford to lease Sunny Meadow Farms (see House, No. 3881) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Chelmsford,—
Sunny
Meadow
Farms.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 322.

[See Yea and Nay No. 322 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Foreclosures,—
prevent.

Mr. Costello of Newburyport, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill preventing unlawful and unnecessary foreclosures (House, No. 4096), recommending passage of a bill with the same title (House, No. 4323). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Costello, the report was considered forthwith.

Conference
committee
report
accepted,—
yea and nay
No. 323.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 323 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Orders of the Day.

Senate bills

Relative to identification cards (Senate, No. 1718); and

Third
reading
bills.

Authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (Senate, No. 2320);

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

Id.

Establishing a reserve fund for credit unions (House, No. 2073) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the retirement of certain employees of the Massachusetts Water Resources Authority (House, No. 2968);

Relative to funding of collective bargaining agreements in the town of North Andover (House, No. 3591) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the appointment of Amy McCarthy as a police officer in the town of North Andover, notwithstanding the maximum age requirements (House, No. 3835);

Authorizing the town of Wellfleet to grant an easement on certain land in the town (House, No. 4171);

Relative to a certain parcel of land in the city of Chelsea (House, No. 4202); and

Relative to the terms of certain bonds issued by the Commonwealth (House, No. 4235) (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.

The Senate Bill authorizing the town of Ashburnham to dispose of certain equipment (Senate, No. 2271); and

Second reading bills.

House bills

Relative to the milk producer's security fund reimbursement (House, No. 240);

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers located along Maple Street (House, No. 847);

To protect the health and safety of people in restaurants (House, No. 1462);

Relative to the health care of minors (House, No. 1500);

To strengthen the Massachusetts agricultural infrastructure relative to meat and poultry production and processing (House, No. 3351);

Discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the division of capital asset management to convey and grant all right, title, and interest in said discontinued portion to abutters (House, No. 3999);

Establishing the town of Acton energy efficiency fund (House, No. 4106);

Authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142);

Authorizing the city of Springfield to exchange parcels of land (House, No. 4169);

Authorizing the town of Fairhaven to grant an easement over certain [sic] (House, No. 4172);

Amending Special Act, Chapter 327 of the Acts of 1988 to authorize the Orleans, Brewster and Eastham Groundwater Protection District to provide retirement benefits for district employees (House, No. 4175);

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4213);

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4214);

Authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230);

[sic] Of special legislation authorizing the town of Braintree to grant additional liquor licenses (House, No. 4292);

Relative to the town of Fairhaven issuing a package store/all alcohol license (House, No. 4293); and

Relative to a liquor license for the Irish Social Club, Inc[sic], in the city of Boston (House, No. 4294);

Severally were read a second time; and they were ordered to a third reading.

The Senate Bill establishing a Horseneck Beach Reservation Trust Fund (Senate, No. 376, amended), was read a second time.

Second reading bill amended.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4297,— was adopted.

The bill (Senate, No. 376, amended) then was ordered to a third reading.

Second reading
bill amended.

The Senate Bill relative to regional 911 emergency communication districts (Senate, No. 2248, amended), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4299,— was adopted.

The bill (Senate, No. 2248, amended) then was ordered to a third reading.

Id. The Senate Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4300,— was adopted.

The bill (Senate, No. 2250, amended) then was ordered to a third reading.

Id. The House Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 290), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4301),— was adopted.

The substituted bill then was ordered to a third reading.

Id. The House Bill relative to eligibility for state group health insurance (House, No. 704), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4217),— was adopted.

The substituted bill then was ordered to a third reading.

Id. The House Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of Wilmington (House, No. 832, changed), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4302),— was adopted.

The substituted bill then was ordered to a third reading.

Id. The House Bill to promote health through workplace safety for social workers (House, No. 3864), was read a second time.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4254),— was adopted.

The substituted bill then was ordered to a third reading.

Id. The House Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4074), was read a second time.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4303),— was adopted.

The substituted bill then was ordered to a third reading.

The Senate Bill requiring the registration of motor vehicle glass repair shops (Senate, No. 2216, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Vehicle glass
repair shops.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Costello of Newburyport moved to amend it in section 19, in line 92, by striking out the word “or” and inserting in place thereof the word “and”.

The amendment was adopted; and the bill (Senate, No. 2216, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

House Bill relative to the exchange of certain land in the town of Truro (House, No. 3312), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Truro,—
land.

Pending the question on passing the bill to be engrossed, Ms. Peake of Provincetown moved to amend it by striking out section 6 and inserting in place thereof the following section:

“SECTION 6. The exchange of land authorized by this act shall be subject to subsections (a), (b) and (g) of section 16 of chapter 30B of the General Laws, but shall not be subject to section 40J of chapter 7 of the General Laws or sections 14, 15, and 15A of chapter 40 of the General Laws.”

The amendment was adopted; and the bill (House, No. 3312, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

The Senate Bill regarding families and children engaged in services (Senate, No. 1963, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Families and
children
engaged in
services.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, Ms. Khan of Newton moved to amend it by inserting after section 1 the following section:

“SECTION 1A. (a) The department of mental health in collaboration with the department of youth services and the department of public health is hereby authorized and directed to conduct a comprehensive review of the mental health and substance abuse service needs of adolescents in the care of or detained in the commonwealth through the order of a juvenile court, including without limitation juveniles detained in the department of youth services or in the custody of the department of children and families, or receiving services from the department of mental health, the court clinics, probation, or otherwise, and including without limitation any such departments, offices, agencies or instrumentalities of the commonwealth, and any private organizations and agencies operating under arrangement with departments or agencies of the commonwealth. To complete said review, the

Families and children engaged in services.

department of mental health, department of youth services, and department of public health shall solicit input from the office of probation, the department of children and families, the department of education, the juvenile court, juvenile court clinics, the committee for public counsel services, the department of mental retardation, the division of insurance, the division of medical assistance, the Massachusetts Association of District Attorneys, at least one individual representing the interests of parents and families, at least one advocate for juvenile justice, at least one representative of a service provider community, and at least one representative from the Massachusetts Association of Health Plans. Said review shall be for purposes of identifying the following:

(i) existing and proposed models of alternatives to detention, within and outside the commonwealth, of providing mental health and substance abuse services to juveniles in detention, and as alternatives to detention; community resources and other dependencies which affect the appropriateness and effectiveness of models of alternatives to detention; and data demonstrating the relative efficacy, cost-effectiveness, and effect on public safety of alternative models;

(ii) unmet mental health and substance abuse needs of juveniles within the juvenile court systems of the commonwealth, including an explicit comparison of the best practices and models identified in paragraph (a) of this section with services and models available in the commonwealth;

(iii) recommendations for addressing unmet needs, including without limitation through the court clinics of the juvenile courts, and through contracting by the department of mental health for community-based services through community providers, or through consortia of community providers, local government agencies and others operating in congruence with local courts involved in the juvenile justice system.

(b) Within sixty days after the effective date hereof, the department shall post to its external website, for thirty days public comment, a proposed work plan to gather information necessary to prepare the report required by this section, in consultation with clinical, philanthropic and advocacy organizations for children, and providers of mental health and substance abuse services for minors. The proposed work plan shall be directed to submit a final report to the legislature and the governor no later than two hundred and seventy days after the effective date of this act.

(c) Within ninety days after the effective date of this act, the department shall post its final work plan on its external website.

(d) Within two hundred and ten days after the effective date of this act, the department shall post on its external website, for public comment, a draft report responsive to this section.

(e) Within two hundred and seventy days after the effective date of this act, the department shall post on its external website a final report responsive to this section, including a summary of all public comments received, and responses to such comments. The department shall also that day provide a copy of its final report to the governor, the president of the senate, the speaker of the house of representatives, the chairs of the joint committees on mental health and substance abuse, and children, families and persons with disabilities, and the legislative mental health caucus.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 1

In line 88, by inserting after the following: “section 37H” the following: “and section 37H½”;

In line 94, by striking out the word “shall” and inserting in place thereof the word “may”; and

In line 97, after the word “education”, by striking out the word “certified”;

By inserting after section 1A (inserted by amendment) the following three sections:

“SECTION 1B. Section 39E of chapter 119 of the General Laws, as appearing in the 2010 official edition, is hereby amended by inserting, after the third paragraph, the following paragraph:—

When a petition seeking a determination that a child is in need of services is presented to the clerk for filing, the clerk shall inform the petitioner that the petitioner may delay filing the petition and choose to have the child and his family referred to a family resource center, community-based services program or other entity designated by the secretary of health and human services to provide community-based services in the juvenile court district where the child resides and return to court at a later time to file a request for assistance, if needed. The clerk shall prepare, publish and disseminate to each petitioner educational material relative to available family resource centers, community-based services programs and other entities designated by the secretary of health and human services.

SECTION 1C. Said section 39E of said chapter 119 is hereby further amended by inserting, after the fifth paragraph, the following paragraph:—

The commissioner of probation shall establish a system to collect data on all petitions seeking a determination that a child is in need of services. Said system shall maintain the privacy of clients served, assist the court in addressing the needs of the population to be served and collect information related to: the racial and ethnic identity of the child; the insurance status and coverage of clients served; the length of time a child is receiving assistance from a probation officer, including the time prior to and subsequent to the filing of a petition; the identity of any public or private organization to whom a probation officer has referred a child or family for services; and any other information that may assist the commissioner and the court in evaluating the availability and effectiveness of services for children who are the subjects of such petitions. The probation officer shall gather information concerning each child and family referred to the officer including, but not limited to, insurance status and coverage and other information that may assist the commissioner of probation and the court in evaluating the availability and effectiveness of services for children who are the subjects of petitions.

SECTION 1D. Said section 39E of said chapter 119 is hereby further amended by inserting, at the end thereof, the following paragraph:—

A child who is the subject of a petition seeking a determination that a child is in need of services may not be confined in shackles or similar restraints or in a court lockup facility in connection with any proceedings under such petition. A child who is the subject of a petition shall not be placed in a locked facility or any facility designated or operated for juveniles who are alleged to be delinquent or who have been

Families and children engaged in services.

adjudicated delinquent. Such child may, however, be placed in a facility which operates as a group home to provide therapeutic care for juveniles, regardless of whether juveniles adjudicated delinquent are also provided care in such facility.”;

In section 2, in line 106, by striking out the figure “2”, and inserting in place thereof the figure “1”;

In line 120, by striking out the figure “3”, and inserting in place thereof the figure “2”;

In line 122, by striking out the words “one or more geographic regions”, and inserting in place thereof the words “each county”; and

In line 124, by striking out the word “site”, and inserting in place thereof the word “sites”;

In section 3, in line 131, by inserting after the word “health” the words “; the commissioner of the department of public health”;

In line 137, by striking out the figure “4” and inserting in place thereof the figure “3”; and

In line 160, by striking out the word “district” and inserting in place thereof the word “districts”; and

In section 4, in line 184, by striking out the figure “4” and inserting in place thereof the figure “3”.

The amendments were adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. O’Day of Worcester moved to amend it in section 3, in line 130, by inserting after the word “designee”, the first time it appears, the words “; a Department of Children and Families adolescent social worker approved by the regional director of the area pilot program”, and in said line, by inserting after the word “designee”, the second time it appears, the words “; and a Department of Youth Services Case Manager approved by the regional director of the area pilot program”, and, in line 131, by inserting after the word “health” the words “; and a Department of Mental Health case manager approved by the regional director of the area pilot program”. The amendments were adopted.

Bill passed to be engrossed,—yea and nay No. 324.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Ms. Khan of Newton; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 324 in Supplement.]

Therefore the bill (Senate, No. 1963, amended) was passed to be engrossed, in concurrence (For text of the House amendments, see House document numbered 4330, published as amended). Sent to the Senate for concurrence in the amendments.

Right to know.

The House establishing a temporary workers right to know (House, No. 4304), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Torrissi of North Andover moved to amend it by add the following section:

“SECTION 3. This act shall take effect on January 31, 2013.”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Forry of Boston; and on the roll call 126 members voted in the affirmative and 28 in the negative.

Bill passed to be engrossed,—
yea and nay
No. 325.

[See Yea and Nay No. 325 in Supplement.]

Therefore the bill (House, No. 4304, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4240), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), reported, in part, that certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Kafka of Stoughton, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the reports were considered forthwith.

Item 0339-1001 (contained in section 2) (Commissioner of Probation), which had been disapproved (in part) by the Governor was considered.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 149 members voted in the affirmative and 0 in the negative.

Commissioner of Probation
item 0339-1001
stands,—
yea and nay
No. 326.

[See Yea and Nay No. 326 in Supplement.]

[Messrs. Costello of Newburyport and Petrolati of Ludlow answered “Present” in response to their names.]

Therefore item 0339-1001 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-3036 (contained in section 2) (housing services program), which had been disapproved (in part) by the Governor was considered.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 0 in the negative.

Housing
services
program
item 7004-3036
stands,—
yea and nay
No. 327.

[See Yea and Nay No. 327 in Supplement.]

Therefore item 7004-3036 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Office of
Travel and
Tourism
item 7008-0900
stands,—
yea and nay
No. 328.

Item 7008-0900 (contained in section 2) (Office of Travel and Tourism), which had been disapproved (in part) by the Governor was considered.

After debate on the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section 1, Article II of the Constitution; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 328 in Supplement.]

Therefore item 7008-0900 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at twelve o'clock noon; and be it further

Ordered, That, notwithstanding the provisions of House Rule 12, the Clerk be authorized to print a Calendar for tomorrow's sitting containing only the supplemental appropriation bill (House, No. 4324).

Next
sitting.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without further consideration of the remaining matters in the Orders of the Day, at six minutes before eight o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at twelve o'clock noon.

Thursday, July 26, 2012.

Met according to adjournment at twelve o'clock noon, 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 turned the gavel over to Representative Diehl of Whitman, who introduced the following members of the State Legislative Leaders Foundation: President Stephen Lakis, Vice-President Marcia Vandervoort, Evelene Lakis, Papalinka Paradise and Alison Bressi. After brief remarks by Representative Diehl, Representative Holmes of Boston took the Chair and read and presented resolutions of the House (adopted at the preceding sitting) congratulating the foundation on the occasion of its fortieth anniversary. Mr. Holmes then introduced President Stephen Lakis, a former staff consultant to the General Court, who addressed the House briefly. They were the guests of Messrs. Diehl and Holmes. State Legislative Leaders Foundation.

Resolutions.

Resolutions (filed with the Clerk by Mr. Mahoney of Worcester and other members of the House) congratulating Doug Hannam on the occasion of his retirement as Massachusetts District Four Little League administrator, were referred, under Rule 85, to the committee on Rules. Doug Hannam.

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

Petition.

Mr. Golden of Lowell presented a petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., for legislation to establish a sick leave bank for Kathryn Woessner, an employee of the Department of Correction; and the same was referred, under Rule 24 to the committee on Rules. Kathryn Woessner,—sick leave bank.

Papers from the Senate.

Bills

Relative to designating volleyball as the official recreational sport and team sport of Massachusetts (Senate, No. 1709) (on a petition); Volleyball.

To provide for tobacco cessation benefits (Senate, No. 2121, amended by striking out all after the enacting clause and inserting in place thereof the following: Tobacco cessation benefits.

Tobacco
cessation
benefits.

“SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after section 17I the following section:—

Section 17J. The commission may provide to any active or retired employee of the commonwealth who is insured under the group insurance commission a smoking and tobacco use cessation treatment benefit. Smoking and tobacco use cessation treatment and information benefits shall include nicotine replacement therapy, other evidence-based pharmacologic aids to quitting smoking, and accompanying counseling by a physician, certified tobacco use cessation counselor, or other qualified clinician.

SECTION 2. Section 2 of chapter 118H of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:—

The commonwealth care health insurance program shall provide, as a benefit to participants in the program, coverage for the cost of smoking and tobacco use cessation treatment and information. Smoking and tobacco use cessation and information shall include nicotine replacement therapy, other evidence-based pharmacological aids to quitting smoking, and accompanying counseling by a physician, certified tobacco use cessation counselor or other qualified clinician.” (on Senate, No. 540); and

Julie
Nantais,—
sick leave
bank.

Establishing a sick leave bank for Julie Nantais, an employee of the Department of Public Health (Senate, No. 2266) (on a petition);

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.

Bills

Afterschool,—
council.

Establishing the afterschool and out-of-school time coordinating council (Senate, No. 2111, amended in section 2, in line 49, by inserting after the word “funding” the word “directly”; in section 3, in lines 52 to 55, inclusive, by striking out the sentence contained in those lines, and, in line 60, by striking out the date: “December 31” and inserting in place thereof the date: “June 1”) (on Senate bill No. 215);

New Bedford,—
land.

Authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (Senate, No. 2367, amended by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of certain parcels of land in the city of New Bedford, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition) [Local Approval Received];

Naturopathy,—
board.

Establishing a board of registration in naturopathy (Senate, No. 2377) (on Senate bill No. 1158);

Trench
safety.

Relative to trench safety (Senate, No. 2378, amended in section 7, in lines 30 and 31, by striking out the words “fencing around” and inserting in place thereof the words “covers or portable barriers to”) (on Senate bill No. 1185);

Behavioral
analysts.

Relative to the licensure of behavioral analysts (Senate, No. 2379, amended in section 2, in lines 82, 83 and 84, by striking out, the words “provided, that such practice of applied behavior analysis shall only be

conducted upon referral from a licensed mental health or medical professional whose scope of practice includes diagnosis and evaluation; and provided further” and inserting in place the word “provided”; and in lines 151 to 160, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Section 272. Nothing in sections 264 to 277, inclusive, shall be construed to prevent qualified members of other professions or occupations including, but not limited to, physicians, psychologists, teachers, occupational therapists, members of the clergy, authorized Christian Science practitioners, attorneys-at-law, social workers, guidance counselors, clinical counselors, adjustment counselors, speech pathologists, audiologists or rehabilitation counselors from practicing applied behavior analysis if it is consistent with the accepted standards of their respective professions; provided, however, that no such physician, psychologist, teacher, occupational therapist, member of the clergy, Christian Science practitioner, attorneys-at-law, social worker, guidance counselor, clinical counselor, adjustment counselor, speech pathologist, audiologist, rehabilitation counselor or other person shall use any title or description stating or implying that such person is a licensed applied behavior analyst without holding said license.”) (on Senate bill No. 2217);

Relative to information technology producer responsibility (Senate, No. 2380) (on Senate bill No. 2078);

Information technology.

Relative to the use of off-highway and recreational vehicles (Senate, No. 2381) (on Senate bill No. 2199); and

Recreational vehicles.

Protecting the commercial value artists, entertainers and other notable personalities (Senate, No. 2382) (on Senate bill No. 1713);

Artists and entertainers.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

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 Matthew A. Beaton and Michael O. Moore (by vote of the town) relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury. Under suspension of the rules, on motion of Mr. Beaton of Shrewsbury, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Shrewsbury,—land.

Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning licensure issues in the Commonwealth (House, No. 4256), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1027) of Joyce A. Spiliotis, Christine E. Canavan and Susan Williams Gifford for legislation to establish a board of registration of phlebotomists,— and recommending that the same be recommitted to the committee on Consumer Protection and Professional Licensure. Under Rule 42, the report was considered forthwith; and it was accepted.

Phlebotomists,—regulate.

Rockland,—
land.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill authorizing the exchange of land in the town of Rockland (printed in House, No. 4327). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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.

Education,—
access.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to student access to educational services and exclusion from school (House, No. 4131), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4332) [Representative Webster of Pembroke dissenting]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Youth
workforce.

By Mr. Binienda of Worcester, for the committee on Rules of the two branches, acting concurrently, that the Bill improving coordination of the youth workforce development system in the Commonwealth (House, No. 4288), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Replanting
of trees.

By Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning the replanting of trees (House, No. 4289), a Bill establishing a special fund to be used for the replanting of trees (House, No. 4056).

Campaign
finance.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on House, No. 1985, a Bill to strengthen the campaign finance law (House, No. 4328).

Halifax,—
land.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of Halifax (House, No. 4320).

South Hadley,—
land.

By the same member, for the same committee, on a joint petition, a Bill authorizing and directing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (House, No. 4322).

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

Wales,—
recall
elections.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a joint petition, a Bill providing for recall elections in the town of Wales (House, No. 4281) [Local Approval Received].

Acushnet,—
manufactured
housing.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Acushnet (House, No. 4221) [Local Approval Received].

Charlton,—
water
assessments.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill relative to collection of estimated water assess-

ments and general fund reimbursement in the town of Charlton (House, No. 4203) [Local Approval Received].

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating a certain corner in the town of Watertown as Menton Corner (House, No. 4287).

Watertown,—
Menton
Corner.

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

Engrossed Bills.

Relative to identification cards (see Senate, No. 1718);

Providing for annual caterer’s licenses for the service of alcoholic beverages at private functions (see Senate, No. 2063, amended); and

Bills
enacted.

Requiring the registration of motor vehicle glass repair shops (see Senate 2216, amended);

(Which severally originated in the Senate);

Relative to public access to private restrooms (see House, No. 2366, amended); and

Relative to cyber cafes (see House, No. 3765, 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.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (see Senate, No. 2320) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Groveland,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 329.

[See Yea and Nay No. 329 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill relative to early education and care by family child care providers (see House, No. 3986, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Early
education.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 120 members voted in the affirmative and 31 in the negative.

Bill enacted,—
yea and nay
No. 330.

[See Yea and Nay No. 330 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Papers from the Senate.

Controlled substances.

The House Bill relative to certain controlled substances (House, No. 4160), 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 2372.

Under suspension of Rule 35, on motion of Mr. Ross of Attleboro, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Pending the question on concurring with the Senate in its amendment, Messrs. Kafka of Stoughton and Ross moved to amend it by striking out the text of said amendment and inserting in place thereof the text contained in House document numbered 4331. The further amendment was adopted.

The Speaker being in the Chair,—

Amendment, as amended, adopted, in concurrence,—yea and nay No. 331.

After remarks on the question on concurring with the Senate in its amendment, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Ross of Attleboro; and on the roll call (Mr. Donato of Medford being in the Chair) 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 331 in Supplement.]

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

Orders of the Day.

Third reading bill.

The Senate Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250, 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.

House bills

Third reading bills.

Relative to identification for the sale of alcoholic beverages (House, No. 1012);

Authorizing the city of Newburyport to acquire interests in land in the town of Newbury (House, No. 4164);

Authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4246);

Authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (House, No. 4272);

Establishing Commonwealth virtual schools (House, No. 4274);

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.

Second reading bills.

The Senate Bill relative to access to a decedent's electronic mail accounts (Senate, No. 2313, amended); and

The House Bill to strengthen and expand the board of agriculture (House, No. 3221);

Severally were read a second time; and ordered to a third reading.

The Senate Bill relative to superintendency union benefits (Senate, No. 2092, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Superintendency
union
benefits.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Kulik of Worthington moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to allow the member towns of superintendency union 28 to enter into agreements to fund benefits for employees and retirees of the superintendency union, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (Senate, No. 2092, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The Senate Bill further regulating animal control (Senate, No. 2192, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Animal
control.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Peterson of Grafton moved to amend it in section 4, in line 150, by inserting after the word “laboratory”, the second time it appears, the words “, a biomedical corporation”; and the amendment was adopted.

The same member then moved to amend the bill in section 4, in line 179, by inserting after the word “issued.” the following clause:

“(d) This section shall not apply to a dog or cat housed in a research institution.”

The amendment was adopted.

Ms. Coakley-Rivera of Springfield then moved to amend the bill by inserting after section 30 the following section:

“SECTION 30A. Section 77 of chapter 272 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the last paragraph the following paragraph:—

Any person convicted of a crime of cruelty to an animal shall be prohibited from working in any capacity that requires them to be in contact with any animal, including a commercial boarding or training establishment, shelter, animal control facility, pet shop, grooming facility, commercial breeder service, veterinary hospital or clinic, or animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals.”

The amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill in section 51, in line 826, by inserting after the word “animals” the following: “and 1 representative of a national pet industry trade association”; and the amendment was adopted.

Ms. Andrews of Orange then moved to amend the bill by inserting after section 30A (inserted by amendment), the following section:

“SECTION 30B. Chapter 140 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 174D the following section:

Animal
control.

Section 174E. (a) No person owning or keeping a dog shall chain or tether a dog to a stationary object including but not limited to any structure, dog house, pole or tree for longer than 24 consecutive hours. Any tethering employed shall not allow the dog to leave the owner's, guardian's or keeper's property. The tether must be designed for dogs. No logging chains and other lines or devices not for the purpose of tethering dogs may be used. No chain or tether shall weigh more than one-eighth of the dog's body weight. Nothing in this section shall be construed as prohibiting a person from walking a dog on a hand held leash. No dog under the age of 6 months shall be tethered outside for any length of time.

(b) A person owning or keeping a dog may confine such dog outside, subject to the restrictions in this section, through the use of any of the following three methods:

(1) Inside a pen or secure enclosure, if the following conditions are met:

(i) The pen or secure enclosure has adequate space for exercise with a dimension of at least 100 square feet. Commercial dog kennels with pens intended for the temporary boarding of dogs are exempt from this requirement.

(ii) The pen or secure enclosure is constructed with chain link or other similar material as determined by the Building Inspector, with all 4 sides enclosed.

(iii) The minimum height of the fence is adequate to successfully confine the dog.

(2) A fully fenced, electronically fenced, or otherwise securely enclosed yard, wherein a dog has the ability to run but is unable to leave the enclosed yard.

(3) A trolley system or a tether attached to a pulley in a cable run, if the following conditions are met:

(i) Only 1 dog may be tethered to each cable run.

(ii) The tether must be attached to a properly fitting collar or harness worn by the dog, with enough room between the collar and the dog's throat through which 2 adult fingers may fit. Choke collars and pinch collars are prohibited for the purposes of tethering a dog to a cable run.

(iii) There must be a swivel on at least 1 end of the tether to minimize tangling of the tether.

(iv) The tether and cable run must each be at least 10 feet in length. The cable must be mounted at least 4 feet but not more than 7 feet above ground level.

(v) The length of the tether from the cable run to the dog's collar or harness must allow continuous access to clean water and appropriate shelter at all times as described in subsection (c). The trolley system or tether must be of appropriate configuration to confine the dog to the owner's, guardian's or keeper's property, to prevent the trolley system or tether from extending over an object to an edge that could result in injury or strangulation of the dog, and to prevent the trolley system or tether from becoming tangled with other object or animals.

(c) Any person owning or keeping a dog confined outside in accordance with subsection (b) must provide the dog with access to clean water and appropriate dog shelter. The dog shelter must allow the dog to remain dry and protected from the elements. Such shelter shall be

fully enclosed on at least three sides, roofed and have a solid floor. The entrance to the shelter shall be flexible to allow the dog's entry and exit, and sturdy enough to block entry of weather elements. The shelter shall contain clean bedding and be small enough to retain the dog's body heat and large enough to allow the dog to stand, lie down, and turn comfortably. The enclosure shall be structurally sound and in good repair. Suitable drainage must be provided so that water, ice, or waste is not standing in or around the shelter.

(d) No person owning or keeping a dog may leave a dog chained or tethered outside for longer than 24 consecutive hours.

(e) Exceptions to the above restrictions on outdoor confinement shall be made for dogs actively engaged in conduct directly related to the business of shepherding or herding cattle or other livestock or conduct that is directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

(f) No person owning or keeping a dog may subject the dog to cruel conditions or inhumane chaining or the tethering at any time. Cruel conditions and inhumane chaining or tethering are defined as, but not limited to, the following conditions:

(1) Filthy and dirty confinement conditions, including but not limited to exposure to excessive animal waste, garbage, dirty water, noxious odors, dangerous objects that could injure or kill the dog upon contact, or other circumstances that could cause harm to the dog's physical or emotional health.

(2) Taunting, prodding, hitting, harassing, threatening or otherwise harming a tethered or confined dog.

(3) Subjecting the dog to dangerous conditions, including attack by other animals.

(g) Any person who violates this section shall, for the first offense, be issued a written warning or punished by a fine of not more than \$50, for the second offense, be punished by a fine of not more than \$100, and for the third and any subsequent offense, be punished by a fine of not more than \$300, and be subject to impoundment of the dog in a local shelter at the owner's or guardian's expense pending compliance with this section or loss of ownership of the dog."

The amendment was adopted.

The bill then was passed to be engrossed, in concurrence. The bill (Senate, No. 2192, amended) then was sent to the Senate for concurrence in the amendments.

The House Bill establishing a maximum allowable check-cashing rate (House, No. 3567) (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.

Check-cashing,—
maximum
rate.

Pending the question on passing the bill to be engrossed, Mr. Speltis of Danvers moved to amend it in section 1, in line 6 (as published), by striking out the words "plus a service charge of one dollar", and, in lines 11 and 12 (as published), by striking out the words " , plus a service charge of one dollar".

The amendments were adopted; and the bill (House, No. 3567, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Renovation
and repair
contracts.

The House Bill relative to renovation and repair contracts (House, No. 4242), 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, Mr. Coppinger of Boston moved to amend it in line 3 by inserting after the word "protection" the following: "sprinkler system as defined in section 81 of chapter 146".

The amendment was adopted; and the bill (House, No. 4242, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Supplemental
appropriations.

The House Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4324), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

After remarks on the question on passing the bill, to be engrossed, Mr. Hill of Ipswich moved to amend it by adding the following section:

"SECTION 37. Chapter 199 of the Acts of 2010 is hereby amended by striking, in Section 3, the following sentence: 'Within 2 years of the effective date of this act, the department shall file a report of its activities and the developed recommendations with the governor and the clerks of the senate and house of representatives who shall forward the same to the house and senate committees on ways and means and other committees as appropriate.', and inserting in place thereof the following sentence:— The department shall file a final report not later than July 31, 2014 of its activities and the developed recommendations with the governor and the clerks of the house and senate who shall forward the same to the house and senate committees on ways and means and other committees as appropriate, provided, however, that the department shall file in the same manner an interim report not later than July 31, 2013 indicating the progress made toward completing the final report, the adequacy of data and information collected at that point and whether or not additional data must be collected to complete the report, particularly with regard to weather conditions and other factors, the time necessary to complete the final report, and any other factors which may negatively impact the completion of the final report in a timely and effective manner."

The amendment was adopted.

Representatives O'Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

"SECTION 38. Notwithstanding any general or special law to the contrary the Department of Public Health is prohibited from raising licensing fees for food vending machines greater than 100% in a calendar year."

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Ms. O'Connell; and on the roll call 53 members voted in the affirmative and 100 in the negative.

[See Ye and Nay No. 332 in Supplement.]

Therefore the amendment was rejected.

Mr. Kuros of Uxbridge then moved to amend the bill by adding the following section:

Amendment
rejected,—
yea and nay
No. 332.

“SECTION 38. Section 1 of chapter 30B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, in lines 87 through 88, by striking subdivision (31) of subsection (b) in its entirety.”.

The amendment was rejected.

Engrossed Resolve.

There being no objection, the Chair (Mr. Donato of Medford) then interrupted the pending bill and placed before the House the engrossed Resolve relating to the tribal-state compact between the Mashpee Wampanoag tribe and the Commonwealth of Massachusetts (see House resolve printed in House, No. 4261).

Mashpee
Wampanoag
Tribal-State
Compact.

The resolve (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, then was passed. Subsequently, Ms. Orrall of Lakeville moved that this vote be reconsidered.

On the motion to reconsider, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 27 members voted in the affirmative and 126 in the negative.

Motion to
reconsider
negated,—
yea and nay
No. 333.

[See Yea and Nay No. 333 in Supplement.]

Therefore the motion to reconsider was negated. The resolve then was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House then returned to consideration of the House Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4324, amended).

Supplemental
appropriations.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill moved to amend it by striking out section 9 and inserting in place thereof the following section:

“SECTION 9. Item 0699-0015 of section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the words ‘from this item to items 0699-9100, 0699-2004, and 0699-0016’ and inserting in place thereof the following words:— from this item to items 0699-9100, 0699-2004, 0699-0016 and 0699-9101.”;

In section 10, in line 216, by striking out item number “7003-0810” and inserting in place thereof item number “7003-1206”;

By striking out section 30 (as published) and inserting in place thereof the following section:

“SECTION 30. Chapter 139 of the acts of 2012 is hereby amended by striking out section 154 and inserting in place thereof the following section:—

Section 154. (a) Notwithstanding any general or special law to the contrary, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 in the following order of precedence: (i) transfer \$15,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 231 of the General Laws; (ii) transfer \$20,000,000 from the General Fund to the Health Care Workforce Transformation Trust Fund established in section 2FFFF of chapter 29 of the General Laws; (iii) distribute not more than \$2,703,119 to the New Bedford public

Supplemental
appropriations.

school district to account for the district's actual low-income enrollment, as defined by section 2 of chapter 70 of the General Laws, which amount shall be included in the district's fiscal year 2013 chapter 70 aid and shall be considered base aid for the purpose of calculating fiscal year 2014 chapter 70 aid; provided, that said amount shall be certified by the department of elementary and secondary education prior to final transfer and (iv) make available \$40,000,000 to be used as revenue in fiscal year 2013; (v) transfer any remaining amount of the consolidated net surplus to the Stabilization Fund

(b) all transfers specified in this section shall be made from the undesignated fund balances in the budgetary funds proportionally from those undesignated fund balances, but no such transfer shall cause a deficit in any of those funds; provided, however, that prior to certifying the consolidated net surplus, the comptroller shall, to the extent possible, eliminate deficits in any fund contributing to the surplus by transferring positive fund balances from any other fund contributing to the surplus.”; and by adding the following two sections:

“SECTION 38. Section 161 of chapter 139 of the Acts of 2012 is hereby repealed.

SECTION 39. Item 2840-7014 of section 2A of chapter 312 of the acts of 2008 is hereby amended by striking out the words ‘provided further, that not less than \$5,659,000 shall be expended for construction of a permanent ice skating rink in Jamaica Plain’ and inserting in place thereof the following words:— provided further, that not less than \$5,659,000 shall be expended for construction of a permanent ice skating rink and recreation center in the Jackson Square section of Roxbury and Jamaica Plain in the city of Boston; provided further that these funds shall be provided to the developer designated by the city of Boston through the selection process initiated in July 2004 and following approval of the project through the city of Boston’s Article 80 process, which approval was granted on June 16, 2011 and documented in the approved memorandum to the Boston Redevelopment Authority of the same date, and the same amount shall be expended for the same purpose in the Town of Norwood”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 120 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 334 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed. The bill (House, No. 4334, published as amended) then was sent to the Senate for concurrence.

Emergency Measures.

The engrossed Bill relative to superintendency union benefits (see Senate, No. 2092, 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 40 to 0. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 334.

Superintendency
union
benefits.

The engrossed Bill relative to the terms of certain bonds issued by the Commonwealth (see House bill printed in House, No. 4235), 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. Bonds,—
terms.

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 25 to 0. Sent to the Senate for concurrence.

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 Senate to the Senate. Bill
enacted.

The engrossed Bill preventing unlawful and unnecessary foreclosures (see House, No. 4323), 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. Foreclosures,—
prevention.

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 21 to 0. Sent to the Senate for concurrence.

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 Senate to the Senate. Bill
enacted

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.

At twenty-four minutes before six o'clock P.M., on motion of Mr. Peterson of Grafton (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.

Friday, July 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.

Petitions.

Petitions severally were presented and referred as follows:

Maynard,—
land.

By Representative Hogan of Stow and Senator Eldridge, a joint petition (accompanied by bill, House, No. 4335) of Kate Hogan and James B. Eldridge (by vote of the town) that the town of Maynard be authorized to reclassify and lease a certain parcel of land in said town for the construction of a solar powered generation facility; and

Id.

By the same members, a joint petition (accompanied by bill, House, No. 4336) of Kate Hogan and James B. Eldridge (by vote of the town) for legislation to authorize the conveyance of a certain parcel of land in the town of Maynard;

Severally to the committee on Municipalities and Regional Government.
Severally sent to the Senate for concurrence.

Resolutions.

Joseph B.
Duggan.

Resolutions (filed with the Clerk by Ms. Peisch of Wellesley) honoring Joseph B. Duggan on his retirement as water and sewer superintendent in the town of Wellesley, 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 Mr. Hecht of Watertown, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted

Papers from the Senate.

CHINS.

Mr. Kafka of Stoughton being in the Chair,—

The Senate Bill regarding children and families engaged in services (Senate, No. 1963, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4330).

Committee of
conference.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Spilka, Flanagan and Knapik had been appointed the committee on the part of the Senate.

On motions of Ms. Khan of Newton, the House insisted on its amendments; and concurred with the Senate in the appointment of a

committee of conference. Representatives Dempsey of Haverhill, Donato of Medford and Winslow of Norfolk then were appointed the committee on the part of the House. Sent to the Senate to be noted.

Mr. Donato of Medford being in the Chair,—

The House Bill authorizing the town of Northborough to convey certain parklands to abutters (House, No. 4075), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 2 the following section:

Northborough,—
land.

“SECTION 2A. The consideration paid to the town of Northborough for ‘Parcel C-2’ and ‘Parcel C-3’ under section 2 shall be deposited in a dedicated account to be used solely for park and recreation projects in the town.”

Under suspension of Rule 35, on motion of Mr. Naughton of Clinton, 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.

The Senate Bill authorizing the lease of Daly Field Complex located in the Brighton section of the city of Boston (Senate, No. 2383, amended in section 1, in lines 9, 42, 44; in section 3, in line 76; in section 4, in lines 97 and 98, 100, 103, 110; in section 6, in line 111; and in section 7, in line 117, by striking out, in each instance, the words “or another entity”;

Boston,—
Daly Field
Complex.

In section 1, in line 15, by striking out the words “facilities to accommodate”, in line 22, by striking out the words “or if Simmons College declines to enter any such agreement, then another entity, authorizing Simmons College or such other entity” and inserting in place thereof the words “authorizing Simmons College”, in lines 35 and 39, by striking out the words “or other entity”, in line 61, by striking out the word “reserved” and inserting in place thereof the words “permitted by the department of conservation and recreation”;

In section 3, in line 69, by striking out the word “may” and inserting in place thereof the word “shall”, in line 95, by adding the following sentence: “For the purposes of this section, ‘abutting communities’ shall also include, but not be limited to, the city known as the town of Watertown”;

In section 6, in lines 113 and 114, by striking out the following: “not later than March 1, 2013” and inserting in place thereof the following: “prior to entry into the lease under section 1”, in line 115, by striking out the words “and the city and town clerks of abutting communities.”;

And by inserting after section 9 the following two sections:

“SECTION 9A. To ensure a no-net-loss of lands protected for conservation and recreation purposes and as a condition of the leasehold interests authorized in this act, the grantee shall compensate the commonwealth through the payment of funds or the transfer of land or a conservation restriction upon land to the department of conservation and recreation, which shall be equal to or greater than the full and fair market value of its leasehold interest under this act as determined by independent appraisal prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser

Boston,—
Daly Field
Complex.

commissioned by the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation. Any land or interest in land, including any conservation restriction, shall be acceptable to the department of conservation and recreation. The appraisal shall include an examination of the value of the physical capital improvements to be constructed by Simmons College, the relative value associated with the exclusive private use of the improvements by Simmons College and the relative value associated with use of the improvements by the general public to be scheduled by the department of conservation and recreation. In determining the funds due to ensure a no-net-loss of protected land for conservation and recreation purposes, the division of capital asset management and maintenance, in consultation with the department of conservation and recreation, may determine a credit on account of the relative value associated with the public use of the improvements and shall provide a credit for the \$500,000 contributed to the department of conservation and recreation under section 7. Any sums due under this section shall be paid by the grantee to the department of conservation and recreation for deposit into the Conservation Trust, established in section 1 of chapter 132A of the General Laws, to be used to acquire land or interests in land for conservation and recreation purposes. In no event shall any funds be due from the department of conservation and recreation.

SECTION 9B. The commissioner of capital asset management and maintenance shall submit any appraisals completed under section 9A to the inspector general for review and comment. The inspector general shall review and approve the appraisals and the review shall include an examination of the methodology utilized for the appraisals. The inspector general shall prepare a report of such review and file the report with the commissioner of capital asset management and maintenance for submission by the commissioner to the house and senate committees on ways and means and the senate and house chairs of the joint committee on state administration and regulatory oversight. The commissioner shall submit copies of the appraisals and the inspector general's review and approval and comments to the house and senate committees on ways and means and the senate and house chairs of the joint committee on state administration and regulatory oversight at least 15 days before the execution of any documents effecting the lease or other agreements described in section 1.”) (on Senate bill No. 2306); and

Hinsdale,—
land.

Authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (Senate, No. 2385) (on Senate bill No. 2343);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Julie
Nantais,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Julie Nantais, an employee of the Department of Public Health (Senate, No. 2266), be scheduled for consideration by the House.

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

- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to expand juvenile jurisdiction, increase public safety and protect children from harm (House, No. 450). Juvenile jurisdiction.
- By the same member, for the same committee, on a petition, a Bill relative to the profits from crime (House, No. 457). Crime,—profits.
- By the same member, for the same committee, on a petition, a Bill relative to the judicial advisory board (House, No. 2187). Judicial advisors.
- By the same member, for the same committee, on a petition, a Bill relative to bail fees (House, No. 2828). Bail fees.
- By the same member, for the same committee, on a petition, a Bill relative to the Sex Offender Registry (House, No. 3229). Sex Offender Registry.
- By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (House, No. 4333) [Local Approval Received]. Shrewsbury,—land.
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill requiring the posting of security for the seizure and impoundment of animals (House, No. 422). Animals,—impoundment.
- By the same member, for the same committee, on a petition, a Bill clarifying warehousing (House, No. 438). Warehousing.
- By the same member, for the same committee, on a petition, a Bill relative to historic homes (House, No. 442). Historic homes.
- By the same member, for the same committee, on a petition, a Bill relative to parental rights and child survivors of homicide (House, No. 454). Homicide.
- By the same member, for the same committee, on a petition, a Bill to prevent farm animal cruelty (House, No. 458). Farm animals.
- By the same member, for the same committee, on a petition, a Bill relative to oil spills on public ways (House, No. 487). Oil spills.
- By the same member, for the same committee, on a petition, a Bill relative to the concealment of the death of children and the penalties for the sale or purchase of minor children (House, No. 1308). Children,—death concealment.
- By the same member, for the same committee, on a petition, a Bill relative to advertising for the placement of children under 16 years of age (House, No. 1328). Children,—placement.
- By the same member, for the same committee, on a petition, a Bill relative further regulating the appointment of certain guardians (House, No. 1337). Guardians,—appointment.
- By the same member, for the same committee, on a petition, a Bill relative to the rescue of foals (House, No. 2827). Foals,—rescue.
- By the same member, for the same committee, on a petition, a Bill making uniform the law regarding trade schools (House, No. 2846). Trade schools.
- By the same member, for the same committee, on a petition, a Bill relative to the intimidation of a witness statute (House, No. 3977). Witness intimidation.
- Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

New Bedford,—
land.

Authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (Senate No. 2367, amended) [Local Approval Received]; and

Sutton,—
land.

Relative to the conveyance of easements in the town of Sutton (Senate, No. 2369).

Severally 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; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

Lawrence,—
land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338), 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 4338.

Needham,—
land.

By the same member, for the same committee, that the Bill relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX (House, No. 2582), ought to pass with an amendment substituting therefor a Bill authorizing the Division of Capital Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (House, No. 4339) [Local Approval Received].

Halifax,—
land.

By the same member, for the same committee, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (House, No. 4320), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4340) [Local Approval Received].

South Hadley,—
land.

By the same member, for the same committee, that the Bill authorizing and directing the commissioner of capital asset management and maintenance to convey certain land in the town of South Hadley (House, No. 4322), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4341).

Shrewsbury,—
land.

By the same member, for the same committee, that the Bill authorizing the division of capital asset management and maintenance [sic] to convey certain parcels of land in the town of Shrewsbury (House, No. 4333), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4342) [Local Approval Received].

Severally 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; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to student access to educational services and exclusion from school (House, No. 4131), be scheduled for consideration by the House. Intellectual disability,—definition.

Placed in the Orders of the Day for the next sitting for a second reading, with an amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4332),— pending.

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

- Relative to municipal service fees (House, No. 577); Municipal fees.
 - Reducing medical errors and improving patient safety (House, No. 1519, changed); Patient safety.
 - Relative to a form of governance for the Boston Housing Authority (House, No. 4008) [Local Approval Received]; Boston Housing Authority.
 - Validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (printed in House, No. 4134); Blackstone,—town meeting.
 - Validating the actions taken at a certain annual town election held in the town of Lincoln (printed in House, No. 4135); Lincoln,—town meeting.
 - Authorizing the town of Danvers to grant an additional license for the sale of all alcoholic beverages (House, No. 4168) [Local Approval Received]; Danvers,—liquor license.
 - Regarding the town of Marion Open Space Acquisition Commission (House, No. 4188) [Local Approval Received]; Marion,—commission.
 - Establishing the charter of the town of Hubbardston (House, No. 4209) [Local Approval Received]; Hubbardston,—charter.
 - Amending the charter of the town of Westborough (House, No. 4211) [Local Approval Received]; Westborough,—charter.
 - Providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Acushnet (House, No. 4221) [Local Approval Received]; Acushnet,—housing.
 - Establishing the position of treasurer-collector in the town of Oakham (House, No. 4232) [Local Approval Received]; Oakham.
 - Relative to a special fund in the town of Plympton (House, No. 4276) [Local Approval Received]; Plympton,—fund.
 - Providing for recall elections in the town of Wales (House, No. 4281) [Local Approval Received]; Wales,—elections.
 - Creating a library building fund for the town of Wales (House, No. 4282) [Local Approval Received]; and Wales,—library fund.
 - Desiganting a certain corner in the town of Watertown as Menton Corner (House, No. 4287); Watertown,—Menton corner.
- Severally placed in the Orders of the Day for the next sitting for a second reading.

A report of the committee on Labor and Workforce Development, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 1412) of Martha M. Walz and others relative to certain independent contractors under the labor laws. Placed in the Orders of the Day for the next sitting, the question being on acceptance. Independent contractors,—regulate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill relative to superintendency union benefits (see Senate, No. 2092, amended) (which originated in the Senate), 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.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing the Division of Capital Asset Management to grant to the city of Lowell easements over certain parcels of land (Senate, No. 2233), 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.

House bills

Third
reading
bills.

Authorizing the town of Fairhaven to grant an easement over certain land (House, No. 4172) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230);

Authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (House, No. 4278); and

Authorizing the exchange of land in the town of Rockland (printed in House, No. 4327);

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.

Recess.

Recess.

At seventeen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until three o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Worcester,—
land.

The Senate Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (Senate, No. 2250, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House, No. 4300) with a further amendment striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“*Whereas*, The deferred option of this act would tend to defeat its purpose, which is to forthwith authorize the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester, therefore it is hereby declared to an emergency law, necessary for the immediate preservation of the public convenience.”

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

The House Bill relative to the transfer of land in the town of Sharon (House, No. 3794), came from the Senate passed to be engrossed, in concurrence, with amendments striking out sections 2 and 3 and inserting in place thereof the following two sections:

Sharon,—
land.

“SECTION 2. Notwithstanding any general or special law or rule or regulation to the contrary, the town of Sharon may use the landfill closed under the Landfill Capping Grant Program established in 310 CMR 37.00 et seq. and transferred under section 1 for renewable energy in accordance with any applicable permit from the department of environmental protection pursuant to 310 CMR 19.000.

SECTION 3. In consideration for and as a condition of the transfer of land authorized in section 1, the town of Sharon shall transfer a parcel of land located at Hixson Farm road in the town of Sharon, containing approximately 11.02 acres, under the care, custody, management and control of the board of selectmen for general municipal purposes to the Sharon conservation commission for permanent conservation purposes. The parcel is shown as lot 14 on assessors map 121 and is more particularly described in a deed dated December 1, 1976 recorded in the Norfolk county registry of deeds in book 5309, page 526. It is also shown as ‘Lot A’ and ‘Lot B’ on a plan entitled ‘Plan of Land Belonging to the Sharon Housing Authority, Sharon, Mass. February 4, 1976, scale 1" = 80', Town of Sharon Engineering Department, Henry L. Munson, P.E., Town Engineer’ and recorded at said registry of deeds in plan book 258, plan 94. A copy of this plan is on file with the town clerk.”; and in section 5, in lines 33, 34 and 35, striking out the following: “section 1 and the release of the restriction and acceptance of a new restriction as set forth in sections 2 and 3” and inserting in place thereof the following: “sections 1 and 3 and the change of use permitted in section 2”.

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, 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 Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (House, No. 4273), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 1 and 2, striking out the words “department of fish and game may” and inserting in place thereof the words “the commissioner of capital asset management and maintenance, in consultation with the commissioner of fish and game, may”.

Shirley,—
land.

Under suspension of Rule 35, on motion of Ms. Benson of Lunenburg, 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At ten minutes after three o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M.

Monday, July 30, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Order.

On motion of Mr. Binienda of Worcester,—

Ordered, That, Notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for Representatives Straus of Mattapoisett, Kulik of Worthington and Howitt of Seekonk while they deliberate on the committee of conference on the disagreeing votes of the two branches on the transportation bond bill. Transportation bill conferees,— voting.

Resolutions.

Resolutions (filed with the Clerk by Representatives Fox of Boston and Malia of Boston) honoring Judge Edward R. Redd on his retirement from the Massachusetts Trial Court, were referred, under Rule 85, to the committee on Rules. Edward R. Redd.

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

Petition.

Mr. Sullivan of Fall River presented a petition (subject Joint Rule 12) of David B. Sullivan and Michael J. Rodrigues relative to designating a certain bridge in the city of Fall River in honor Army Specialist Scott A. Andrews; and the same was referred, under Rule 24, to the committee on Rules. Fall River,— Andrews bridge.

Reports of Committees.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (House, No. 4335) [Local Approval Received]. Maynard,— land.

By the same member, for the same committee, on Senate, No. 639 and House, No. 2848, a Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (House, No. 4336) [Local Approval Received]. Id.

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

Maynard,—
land.

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 Mr. Kafka of Stoughton, the bills was read a second time forthwith; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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.

Recess.

Recess.

At eight minutes before one o'clock P.M., on motion of Mr. Peter-son of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at three minutes after two o'clock, the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Utilities,—
emergency
service.

The Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4220) with further amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2404 and inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred option of this act would tend to defeat its purpose, which is to provide for, emergency service response of public utility companies, therefore it is hereby, declared to an emergency law, necessary for the immediate preservation of the public safety.”

Under suspension of Rule 35, on motion of Ms. Andrews of Orange, the further amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Co-operative
Banks.

The House Bill relative to co-operative banks (House, No. 3806, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 423 and 424 striking out the words “commissioner of revenue” and inserting in place thereof the word: “treasurer”.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

Ambulance
services.

The House Bill relative to payment for use of ambulance services (House, No. 3917), 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 2384.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

The House Bill relative to certain conservation restrictions in the town of Canton (House, No. 4103), came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 2 inserting in place thereof the following four sections: Canton,—
land.

“SECTION 2. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may amend a perpetual grant of rights, and perpetual conservation restrictions established by orders of taking of the metropolitan district commission, under the care and control of the department of conservation and recreation, for conservation, agricultural and natural resource purposes to the facilitate additional parking on the encumbered land presumed to be owned by Medical Information Technology, Inc., subject to any reasonable additional terms and conditions consistent with this act as the commissioner of capital asset management and maintenance and the commissioner of conservation and recreation may determine. The perpetual grant of rights is recorded in the Norfolk county registry of deeds in book 6420, page 144; and, the perpetual conservation restrictions were established by 2 separate orders of taking that are recorded in the Norfolk county registry of deeds in book 6427 at page 318 and page 324. The amended grant of rights and conservation restrictions shall be subject to the approval of the commissioner of conservation and recreation and shall ensure, at a minimum, (i) the continued protection of the conservation interests of the encumbered property, (ii) no increased development on the encumbered property other than additional parking for vehicles and (iii) a permanent, appropriate vegetative and treed buffer to screen the property from route 128.

SECTION 3. There shall be an independent appraisal of the instruments described in section 2, relative to the instruments as proposed for amendment, to determine the fair market value and the value in use as proposed in regard to the value of the property. Consideration for the amendment of the instruments shall be the fair market value, or the value in use, whichever is greater, in the increased appraised value of the underlying property, as determined by the commissioner of capital asset management and maintenance, to be paid by the owner of the land. The owner of the land shall assume all costs associated with engineering, surveys, appraisals, instrument preparation and other expenses considered necessary by the commissioner of capital asset management and maintenance to execute the amended instruments authorized by section 2. All consideration paid to the commonwealth as a result of sections 2 to 5, inclusive, shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws. As a condition of any amendment of the orders of taking, the owner of the property shall agree that no award of damages shall be due under chapter 79 of the General Laws; provided further, that the owner of the

Canton,—
land.

property shall execute a release and shall secure a release from any other person holding a legal or equitable interest in the property, in a form acceptable to the commissioner of capital asset management and maintenance, releasing the commonwealth and its employees from any claims, demands, interest or costs arising from or in consequence of the amended orders of taking under said chapter 79.

SECTION 4. The commissioner of capital asset management and maintenance shall submit each appraisal and a report thereon to the inspector general for the inspector general’s review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology used for the appraisal. The inspector general shall prepare a report of the review and file the report with the commissioner of capital asset management and maintenance. The commissioner of capital asset management and maintenance shall submit the appraisal, report and the inspector general’s review, approval and comments, if any, to the senate and house committees on ways and means and to the senate and house chairs of the joint committee on bonding, capital expenditures and state assets before the execution of the conveyances.

SECTION 5. To ensure a no-net-loss of lands protected for natural resource purposes, the property owner shall convey or cause to be conveyed to the commonwealth, or provide funding to department of conservation and recreation sufficient for such purposes, to acquire lands or interest in lands to be held by the department of conservation and recreation for conservation and recreation purposes. The land or interest in land, shall be of equal or greater resource value, as determined by the department of conservation and recreation, and shall be of greater or equal value than the increased appraised value of the underlying property. Any funds provided to the department of conservation and recreation under this section shall be deposited into in the Conservation Trust, established in section 1 of chapter 132A of the General Laws, to be expended to acquire lands or interests in land for conservation and recreation purposes.”; and

Inserting before the enacting clause the following emergency preamble:
“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the disposition of certain real property interests, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mr. Galvin of Canton, 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.

Bills

Wine recorking.
Volunteer
firefighters.
Construction
contracts.
License
plates.

Relative to recorking of wine (Senate, No. 115) (on a petition);
To include call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187) (on a petition);
To ensure transparency of workforce participation in public construction contracts (Senate, No. 2386) (Senate bill No. 1568);
Relative to license plates in the Commonwealth (Senate, No. 2387) (on a petition);

Relative to the registration of podiatrists (Senate, No. 2396) (on Senate bill No. 1145); Podiatrists.

Relative to the disclosure of political spending (Senate, No. 2397, amended by adding the following: "If an independent expenditure or electioneering communication is paid for by an entity that is not an individual, the advertisement or communication must contain a written statement with the words 'For a listing of the contributors to this advertisement visit www.mass.gov/ocpf.'", and by inserting before the enacting clause the following emergency preamble:—

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enhance transparency in campaign finance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a Senate bill No. 2375);

To improve quality physical education (Senate, No. 2398) (on Senate No. 2221); Physical education.

Relative to creating a statutory housing restriction and providing remedies related to statutory housing (Senate, No. 2399) (on Senate, No. 587); Housing restrictions.

Relative to manufactured buildings (Senate, No. 2401) (on Senate bill No. 1566); and Manufactured buildings.

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402) (on Senate, No. 2203); Victims,—housing rights.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Relative to coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 449) (on a petition); and Property insurance.

Increasing the number of dental hygienists on the Board of Registration of Dentistry (Senate, No. 2328); Dental hygienists.

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.

Mr. Wagner of Chicopee, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), recommending passage of a bill with the same title (House, No. 4352). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Economic growth.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Brighton,—land.

Brighton,—
land.

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

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

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following House bills ought to pass:

Lawrence,—
health care.

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

Bullying.

Relative to bullying in schools (House, No. 4063);

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

Dams.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill further regulating dam safety, repair and removal (Senate, No. 1985, 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 4345. 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 Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1985, amended) was ordered to a third reading.

Drug
addiction.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125), 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 4346. 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 Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2125, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126), 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 4347. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Water storage facilities.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2126, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill to establish standards for long-term care insurance (Senate, No. 2359), 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 4348. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Long-term care insurance.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2359, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Senate Bill relative to oral cancer therapy (Senate, No. 2363), 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 4349. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Oral cancer therapy.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2363, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the same committee, that the Resolve providing for an investigation and study by a special commission relative to child suicide (House, No. 3924), ought to pass with an amendment substituting therefor a resolve with the same title (House, No. 4350). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Child suicide,—study.

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

Child
suicide,—
study.

Under suspension of Rule 7A, on motion of Mr. Kafka, the resolve was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted resolve was ordered to a third reading.

Insurance,—
portable
electronics.

By Mr. Dempsey of Haverhill, for the same committee, that the Bill regulating portable electronics insurance (House, No. 3954), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4351). 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 Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the following House bills ought to pass:

State
agencies,—
study.

Establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs and services (House, No. 3607); and

Colleges,—
study.

To form a commission on for-profit colleges, universities, and proprietary schools (House, No. 4085);

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

Emergency Measures.

Trust
companies.

The engrossed Bill relative to limited purpose trust companies (see House, No. 2040, 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 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.

Canton,—
conservation
restrictions.

The engrossed Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, 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 9 to 0. Sent to the Senate for concurrence.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Senate bills

Authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (Senate No. 2367, amended); and

New Bedford,—
land.

Relative to the conveyance of easements in the town of Sutton (Senate, No. 2369).

Sutton,—
easements.

Severally were discharged from their positions in the Orders of the Day and read a second time, under suspension of Rule 47, in each instance, on motion of Mr. Dempsey of Haverhill; and they were ordered to a third reading.

Subsequently, under suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Lawrence,—
land.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4338,— was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (Senate, No. 2338, amended) then was sent to the Senate for concurrence in the amendment.

The House Bill relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX (House, No. 2582), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Needham,—
land.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a Bill authorizing the Division of Capital Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (House, No. 4339),— was adopted; and the substituted bill was ordered to a third reading.

Needham,—
land.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (House, No. 4339) then was sent to the Senate for concurrence.

Halifax,—
land.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (House, No. 4320) [Local Approval Received], was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4340),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (House, No. 4340) then was sent to the Senate for concurrence.

South
Hadley,—
land.

The House Bill authorizing and directing the commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (House, No. 4322), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4341),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (House, No. 4341) then was sent to the Senate for concurrence.

Shrewsbury,—
land.

The House Bill authorizing the Division of Capital Asset Management and Maintenance [sic] to convey certain parcels of land in the town of Shrewsbury (House, No. 4333) [Local Approval Received], was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4342),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (House, No. 4342) then was sent to the Senate for concurrence.

The House Bill relative to student access to educational services and exclusion from school (House, No. 4131), was discharged from its position in the Orders of the Day and read a second time, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Intellectual disability,— definition.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4332),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Ms. Peisch of Wellesley, the bill (having been 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, Ms. Walz of Boston moved to amend it in section 10, in line 163, by inserting after the word “agencies” the words “, education collaborative”; and the amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by adding the following section:

“SECTION 11. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs associated with providing alternative education services pursuant to section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed pursuant to section 5A of chapter 71B of the General Laws.”.

The amendment was adopted; and the bill (House, No. 4332, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Senate Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (Senate, No. 2154), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Bradley of Hingham; and it was passed to be engrossed, in concurrence.

Hingham,— sewer services.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the town of Northborough to convey certain parklands to abutters (see House, No. 4075, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Northborough,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yeas and nays No. 335.

[See Yeas and Nays No. 335 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Truro,—
land.

The engrossed Bill authorizing the town of Truro to amend a certain conservation restriction (see House, No. 3919) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 336.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 336 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Lenox,—
land.

The engrossed Bill authorizing the change of use and the lease of certain land in town of Lenox for a solar powered generation facility (see House, No. 4277) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 337.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 337 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

Shirley,—
property.

The engrossed Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (see House, No. 4273, amended) (which originated in the House), 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 10 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—
yea and nay
No. 338.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 338 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the transfer of land in the town of Sharon (see House, No. 3794, amended) (which originated in the House), 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.

Sharon,—
land
transfer.

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 10 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 339.

[See Yea and Nay No. 339 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant to the city of Lowell easements over certain parcels of land (see Senate, No. 2233) (which originated in the Senate), 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.

Lowell,—
easements.

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 6 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 340.

[See Yea and Nay No. 340 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (see Senate, No. 2250, amended) (which originated in the Senate), 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.

Worcester,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the

Worcester,—
land.

Constitution; and the preamble was adopted, by a vote of 8 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—
yea and nay
No. 341.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 341 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Groton,—
land.

The engrossed Bill authorizing the town of Groton to convey a certain parcel of land to the Department of Fish and Game and place conservation restrictions on certain parcels of land (see House bill printed in House, No. 3886) (which originated in the House), 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.

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

Bill enacted
(land taking),—
yea and nay
No. 342.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 342 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

*Message from the Governor — Bill Returned with
Recommendation of Amendment.*

Sentencing
and law
enforcement
tools.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed relative to sentencing and improving law enforcement tools [see House, No. 3818, amended] (for message, see House, No. 4343), was filed in the office of the Clerk on Saturday, July 28.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon “before the General Court and subject to amendment and re-enactment.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O’Day of West Boylston, to the committee on Bills in the Third Reading.

Subsequently said committee reported recommending that the amendment recommended by the Governor be considered in the form as appearing in said message; and, there being no objection, the report was considered forthwith; and it was accepted.

After debate on the question on adoption amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 23 members voted in the affirmative and 132 in the negative.

Governor's amendment rejected,—yea and nay No. 343.

[See Yea and Nay No. 343 in Supplement.]

Therefore the amendment recommended by the Governor was rejected. Sent to the Senate for its action.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the registration of motor vehicles and trailers [see House, No. 4238] (for message, see House, No. 4344), was filed in the Office of the Clerk on Friday, July 27.

Vehicles and trailers,—registration.

The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to “reconsider” the said bill.

Under suspension of Rule 12, on motion of Mr. Fernandes of Milford, the bill was considered forthwith, the question being: “Shall the bill pass, notwithstanding the objections of His Excellency the Governor?”

After debate on the question on passing said bill, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by said Article of the Constitution; and on the roll call 135 members voted in the affirmative and 19 in the negative.

Bill passed over Governor's veto,—yea and nay No. 344.

[See Yea and Nay No. 344 in Supplement.]

Therefore the bill passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Engrossed Bills — Land Takings.

The Speaker being in the Chair,— the engrossed Bill authorizing the exchange of land in the town of Rockland (see House bill printed in House, No. 4327) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rockland,—land.

Pending the question on passing the bill to be enacted, Mrs. Nyman of Hanover offered remarks, which were ordered spread upon the records of the House, on motion of Mr. Fallon of Malden, as follows:

“Mr. Speaker, and through you to the Membership of this great House.

Remarks of Mrs. Nyman of Hanover.

I rise for the purpose of delivering my Maiden Speech from Seat 114 for a reason very special to me:

Our daughter Kristy was born at 1:14 in the afternoon. Her late father, who had the honor of being an elected member of this House, sat in this same seat, seat 114, a seat held with great distinction by my predecessor, my dear departed husband, the late Bob Nyman.

Remarks of
Mrs. Nyman
of Hanover.

Mr. Speaker, dear members, I humbly ask for your vote on this home rule petition that would transfer a parcel of land from the Rockland Parks Department to the town. Your vote is very special because it means that senior citizens from the town of Rockland, for generations to come, will have a long-awaited and much-needed senior center.

And what's special to me and my family is that not only is this center a new home for our seniors, but also because my constituents, the people of Rockland, the very people Bob loved so much, have loved him back by naming the new center the 'Robert J. Nyman Memorial Senior Center'.

I would like to thank my family for all the love and support that they have given me throughout this process, especially my two daughters, Kristy and Kara.

I'd also like to thank my legislative aide, Lauren Scribi, for working so diligently on this bill.

In closing, Mr. Speaker, just one more thank you: to every member of this House. Because your vote will forever provide the land that will be the homestead for thousands of senior citizens now and for future generations.

And my gratitude this day comes from my heart, because Bob and I not only share the same seat and office here at the State House, but also shared the vision for a senior center at home.

I could not have known then that life's journey would ever lead me back to his office as his successor.

In that special office, Bob would often look out the window where you can see a perfect view of the Golden Dome.

And he would always say to me: 'Isn't that Golden Dome beautiful?'

But, along the way, we both discovered that the true beauty of the State House is not found within the gilding atop the Dome, the true beauty will forever be found beneath it, the men and women each day working for the People and that true beauty is you: the members of the Massachusetts House of Representatives. Thank you."

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 345 in Supplement.]

Therefore the bill was passed to be enacted; (more than two-thirds of the members having agreed to pass the same); and it was signed by the Speaker and sent to the Senate.

Brighton,—
Daly Field.

Mr. Donato of Medford being in the Chair,— the engrossed Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (Senate No. 2383, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 346.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Consti-

tution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 346 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (see Senate No. 2367, amended) (which originated in the Senate), 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.

New Bedford,—
land.

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 40 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 347.

[See Ye and Nay No. 347 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4225) of the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended), recommending passage of a bill with the same title (Senate, No. 2395), came from the Senate with the endorsement that it had been accepted by said branch.

Competitively
priced
electricity.

[Attached to the report was an errata containing the following changes:—

In line 765 by striking out the figures “713” and inserting in place thereof the figures “723”; and by adding the following section:

“SECTION 59. Section 56 shall take effect on December 31, 2014.”.]

Under suspension of the rules, on motion of Mr. Keenan of Salem, the report was considered forthwith.

After debate on the question on acceptance of report, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan; and on the roll call 149 members voted in the affirmative and 6 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 348.

[See Ye and Nay No. 348 in Supplement.]

Therefore the report was accepted, in concurrence.

Engrossed Bills.

Engrossed bills
 Bills enacted. Further regulating animal control (see Senate, No. 2192, amended) (which originated in the Senate);
 Relative to the exchange of certain land in the town of Truro (see House, No. 3312, amended);
 Relative to co-operative banks (see House, No. 3806, amended);
 Relative to authorizing the town of Needham to authorize the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4187);
 Authorizing the Massachusetts Water Resources Authority to convey certain land to the city of Chelsea without a restriction on its use (see House, No. 4202); and
 Establishing a temporary workers right to know (see House, No. 4304, 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.

Emergency Measures.

Sutton,—
 easements.

The engrossed Bill relative to the conveyance of easements in the town of Sutton (see Senate, No. 2369) (which originated in the Senate), 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 46 to 0. Sent to the Senate for concurrence.

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

Bill enacted
 (land taking),—
 ye and nay
 No. 349.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 349 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Sentencing
 and law
 enforcement,—
 tools.

The engrossed Bill relative to sentencing and improving law enforcement tools (see House, No. 3818, 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 60 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to provide additional sewer services through the city known as the town of Weymouth to the town of Hingham (see Senate, No. 2154, 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.

Weymouth
and
Hingham,—
sewer
services.

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 64 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

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.

Mr. Hill of Ipswich then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-five minutes before seven o'clock P.M. (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.

Tuesday, July 31, 2012.

Met according to adjournment at eleven o'clock A.M., 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.

Messages from the Governor.

Heath,—
validate
election.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the May 12, 2012 annual town meeting and the May 11, 2012 annual town election in the town of Heath (House, No. 4353), was filed in the office of the Clerk on Monday, July 30, 2012.

The message was read; and it was referred, under Rule 30, to the committee on Election Laws. Sent to the Senate for concurrence.

Westminster,—
validate
acts.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (House, No. 4354), was filed in the office of the Clerk on Monday, July 30, 2012.

The message was read; and it was referred, under Rule 30, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Silent Prayer.

Westfield
Police Officer
Jose Torres.

During the session, the Speaker took the Chair and, at the request of Mr. Humason of Westfield, the members, guests and employees stood in a moment of silent tribute to the memory of Officer Jose Torres, a twice-decorated, 27 year veteran of the Westfield Police Department.

Officer Torres was killed on July 26 when he was accidentally struck by a dump truck while working a detail at a construction site in Westfield. He was 53 years old.

Officer Torres leaves his wife Kara, his two sons Jay and Christopher, his mother Maria, his brother Jesus Torres, Jr. and his fiancée Cindy Alamed, his sister Idalia Torres, his brother Daniel Torres and his wife Sandra, his mother-in-law Sharon Dominik and many other friends and family members. He now joins his father Jesus Torres in Heaven.

His brothers and sisters in blue, along with the entire city of Westfield, will miss him for his professionalism, personality, friendly smile, and his love of his job, family, and community.

Officer Torres was also a veteran of the United States Army.

Valedictory Address.

The Speaker having taken the Chair,—

Representative Murphy of Burlington, who would soon be resigning from the House, then addressed the House regarding his departure from service. Valedictory Address.

Engrossed Bills.

Mr. Donato of Medford being in the Chair,—

Engrossed bills

Relative to competitively priced electricity in the Commonwealth (see Senate, No. 2395) (which originated in the Senate); Bills enacted.

Establishing a reserve fund for credit unions (see House, No. 2073); and

Relative to payment for use of ambulance services (see House, No. 3917, 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.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (Senate, No. 2385, 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 4356. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Hinsdale,—land.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill, having been 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 bill (Senate, No. 2385 amended) then was sent to the Senate for concurrence in the amendment.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, Nos. 9, 11, 23, 24, 27, 28, 29, 30, 31, 40, 41, 42, 382, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 439, 440, 441, 443, 444, 445, 446, 447, 448, 449, 451, 452, 453, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 488, 489, 490, 491, 492, 493, 494, 495, 496, Judiciary,—study.

Judiciary,—
study.

497, 498, 499, 500, 501, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 524, 525, 526, 527, 528, 1274, 1275, 1276, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1388, 1389, 1390, 1835, 1836, 1837, 1838, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2257, 2258, 2259, 2260, 2262, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2684, 2793, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2825, 2826, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 3137, 3138, 3139, 3140, 3141, 3142, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3230, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3330, 3340, 3358, 3359, 3360, 3361, 3362, 3385, 3441, 3471, 3516, 3518, 3545, 3559, 3569, 3587, 3631, 3636, 3681, 3682, 3729, 3743, 3744, 3766, 3768, 3840, 3884, 3905, 3913, 3934, 3978, 3987, 4004, 4050, 4055, 4057, 4068, 4069, and 4279, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning matters relative to judiciary related issues (House, No. 4364). 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.

Mr. Binienda, for said committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 1278) of Ruth B. Balsler and others relative to the identification and treatment of the mentally ill in prisons; and

Mentally ill prisoners.

Of the petition (accompanied by bill, House, No. 3729) of Marcos A. Devers and others (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to establish a program for enforcement against illegal dumping;

Lawrence,—
illegal
dumping.

And recommending that the same severally be recommitted to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 442, a Bill relative to carrier reporting of financial information (House, No. 4363).

Financial information.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 1278, a Bill relative to the treatment of mentally ill in prisons (House, No. 4372).

Mentally ill prisoners.

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 3729, a Bill authorizing the city of Lawrence to establish a program for enforcement against illegal dumping (House, No. 4373) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Lawrence,—
illegal
dumping.

Recess.

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty minutes before one o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Papers from the Senate.

The House Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (House, No. 4335), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 11, adding the following sentence: "The transfer authorized in this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.;" and striking out section 4 and inserting in place thereof the following two sections:

Maynard,—
land.

"SECTION 4. As a condition of the transfer authorized in section 1, the town of Maynard shall transfer a parcel of land under the care, custody, management and control of the board of selectmen for general municipal purposes to the conservation commission to be used for permanent conservation purposes. If no suitable parcel can be transferred for conservation purposes, the town shall acquire a parcel of land or a conservation easement, as defined in section 31 of chapter 184 of the General Laws. Such land or easement shall be

Maynard,—
land.

dedicated to conservation purposes and placed under the jurisdiction of the conservation commission. The parcel dedicated pursuant to this section shall be of equal or greater size and value for conservation purposes than the parcel described in section 1, as determined by the conservation commission.

SECTION 5. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Ms. Hogan of Stow, 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.

Worcester,—
land.

The House Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (House, No. 4033), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 4, inserting after the word “building” the words “in its current footprint and structure, and any additions and supporting spaces due to the grade characteristic requirements of the architectural access board and the Americans With Disabilities’ Act,”;

In line 5, inserting after the word “bank”, the words “and for the construction of an independent structure for a remote teller and automated teller machine; provided, however, that these structures shall be renovated or constructed in conformance with historic preservation standards acceptable to the city manager for use as a retail branch of the bank”;

In line 11, adding the following 2 sentences: “The community meeting room and related amenities shall consist of at least 51 per cent of the entire first floor of the building. The 3.0 acre lease shall include at least 6 spaces dedicated for the sole purpose of parking for Elm Park users and the community room and the remaining parking spaces shall be available to users of Elm Park and the community room after bank hours”, and

In line 27, adding the following sentence “A conveyance under this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws.”;

In section 2, in line 33, adding the following sentence: “The income from the leases authorized in this section shall be dedicated to the management and improvement of Elm Park.”;

Striking out sections 6 to 9, inclusive, and inserting in place thereof the following two sections:

“SECTION 6. In consideration for and as a condition of the conveyances, changes of use and leases authorized in sections 1, 2, 4 and 5, the city of Worcester, individually or together with the Greater Worcester Land Trust, shall record a permanent conservation restriction meeting the requirements of sections 32 and 33 of chapter 184 of the General Laws over approximately 4.6 acres of land along Plantation parkway and adjacent to Green Hill Park currently owned by the commonwealth under the care and control of the University of Massachusetts and formerly of the Worcester Business Development Corporation and being a triangle in the westernmost section of Worcester assessor’s Parcel 57-004-00A-2 and described in a plan on file with the city of Worcester department of public works and parks, and in furtherance of the purposes of this provision, the University of

Massachusetts, any of its entities, and any other state department, agency or entity involved, shall have any authority under this act which is necessary and proper to approve and grant such permanent conservation restriction over the property described in this section.

SECTION 7. The city of Worcester shall prepare and record in the Worcester district registry of deeds the plans of land describing the precise boundaries of the parcels of land altered pursuant to this act.”; and

Inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance, lease and change of use of certain park lands in the city of Worcester, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mr. Binienda of Worcester, 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.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing for the licensing of applied behavior analysts (Senate, No. 2379, 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 4355.

Behavior
analysts.

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

Under suspension of Rule 7A, on motion of Mr. Scibak of South Hadley, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2379, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to provide access to hearing aids for children (House, No. 52, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hearing
aids.

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

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

Subsequently under suspension of the rules, on motion of Mr. O’Day of West Boylston, the bill (having been 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, its title having been changed by said committee to read: “An Act providing hearing aids for children.”. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to provide incentives for productive workers compensation audits (House, No. 532), ought to pass with an amendment substituting

Workers
compensation
audits.

Workers
compensation
audits.

therefor a bill with the same title (House, No. 4357). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill (House, No. 4357) was ordered to a third reading.

Bail
fees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to bail fees (House, No. 2828), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4358). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. The bill (House, No. 4358) then was sent to the Senate for concurrence.

Dental
benefits'
corporations.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to financial services contracts for dental benefits corporations (House, No. 3916), ought to pass with the amendment previously recommended by the committee on Health Care Financing,—that the bill be amended by substitution of a bill with the same title (House, No. 4265), pending. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Health Care Financing then was adopted; and the substituted bill (House, No. 4265) was ordered to a third reading.

Cleft palate
and lip.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the treatment of cleft palate and cleft lip (House, No. 3928), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. Sent to the senate for concurrence.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 2847, a Bill restoring free speech (House, No. 4361). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Elections,—
free
speech.

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

Under suspension of the rules, on motion of Mr. O'Flaherty, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a third time forthwith.

The committee on Bills in the Third Reading then reported recommending that the bill be amended by substitution of House Resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and for fair elections to the people (House, No. 4374); and the report was accepted.

Pending the question on adoption of the amendment, Mr. Michlewitz moved to amend it by substitution of House Resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and fair elections to the people (House, No. 4375). The further amendment was adopted (thus precluding a vote on the resolutions recommended by the committee on Bills in the Third Reading).

The substituted resolutions (House, No. 4375) then also were adopted.

Reports

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. 102) of Garrett J. Bradley, Kathi-Anne Reinstein and others for legislation to ensure that independent repair facilities in the Commonwealth have access to information related to the proper and complete diagnosis, service and repair of motor vehicles; and. Independent
repair
facilities.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by resolve, House, No. 1016) of Kevin J. Murphy and Thomas A. Golden, Jr., for an investigation by a special commission (including members of the General Court) relative to the ability of independent auto repair businesses to repair automobiles after the expiration of any warranty; Independent
auto repair
businesses.

Severally were considered forthwith under suspension of the rules, on motions of Mr. Speliotis of Danvers. Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on further motion of the same member.

Ms. Reinstein of Revere being in the Chair,—

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Fall River,—
Andrews
Bridge.

Fall River,—
Andrews
Bridge.

Joint Rule 12 be suspended on the joint petition of David B. Sullivan and Michael J. Rodrigues relative to designating a certain bridge in the city of Fall River in honor Army Specialist Scott A. Andrews. Under suspension of the rules, on motion of Mr. Sullivan of Fall River, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Engrossed Bills — Land Takings.

Canton,—
conservation
restrictions.

The engrossed Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 350.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 350 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orange,—
land.

The engrossed Bill authorizing the town of Orange to convey a certain parcel of land (see House, No. 4009, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 351.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 351 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Maynard,—
land.

The engrossed Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (see House, No. 4336) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 352.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 352 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill relative to the emergency service response of public utility companies (see Senate, No. 2143, 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.

Utility companies,—
emergency
response.

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 5 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Keenan of Salem; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted,—
yea and nay
No. 353.

[See Yea and Nay No. 353 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Mrs. Haddad of Somerset being in the Chair,—

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority (see House, No. 4272), 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.

Foxborough
Housing
Authority,—
land.

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 45 to 0. Sent to the Senate for concurrence.

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.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

The Senate Bill relative to prescription drug diversion, abuse and addiction (Senate, No. 2125, amended), was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kaufman of Lexington.

Prescription
drug abuse.

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, as amended (see text of House document numbered 4346), to be engrossed, in concurrence, Mr. Walsh of Boston and other members of the House moved to amend it in section 9, in line 88, by striking out the word “may” and inserting in place thereof the word “shall”; and the amendment was adopted.

Prescription
drug abuse.

Mr. Kaufman of Lexington then moved to amend the bill in section 23, in line 198, by inserting after the word “addiction” the words “and protecting access for patients suffering from acute and chronic pain”; and, in lines 214 to 217, inclusive, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

“The commissioner after reviewing the policy working group’s findings and recommendations, shall promulgate regulations relative to safe and responsible opioid prescribing and dispensing practices with the goal of reducing diversion, abuse and addiction and protecting access for patients suffering from acute and chronic pain, not later than six months after the joint policy working groups submits its report.”

The amendments were adopted; and the bill (Senate, No. 2125, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (House document numbered 4346, amended).

Elderly,—
falls.

The House Bill relative to the prevention of falls in the elderly community (House, No. 180), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O’Day of West Boylston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Collective
bargaining
agreements.

The House Bill relative to collective bargaining agreements (House, No. 1402, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. O’Day of West Boylston.

Pending the question on passing the bill to be engrossed, the same member moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“Section 7 of chapter 150E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:—

(e) If the commonwealth has agreed pursuant to a collective bargaining agreement with an employee organization to exercise statutory rights of the commonwealth regarding the removal of employees in a certain manner with respect to the members of such employee organization, then the commonwealth shall exercise such rights of removal in accordance with the terms of the collective bargaining agreement.”

The amendment was adopted.

After debate on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. O’Day; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 354 in Supplement.]

Therefore the bill (House, No. 1402, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yea and nay
No. 354.

Franklin
regional
retirement
system.

The House Bill providing retirement benefits for members of Franklin regional retirement system (House, No. 3936, changed) (its title having been changed by the committee on Bills in the Third Reading), reported

by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Kocot of Northampton.

Pending the question on passing the bill to be engrossed, Mr. Kocot moved to amend it in line 3 by inserting after the word “act” the following: “including dates of service from March 17, 2009 to September 3, 2010 and November 3, 2010 to March 25, 2011, inclusive;”.

The amendment was adopted; and the bill (House, No. 3936, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4204), was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill. Mercury thermostats.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4305),— Representatives Dempsey and Walz of Boston moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4380. The further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then also was adopted; and the substituted bill (House, No. 4305, amended) was ordered to a third reading.

The House Bill to adopt a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 4252), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston; and it was passed to be engrossed. Sent to the Senate for concurrence. Intellectual disability.

The House Bill relative to the licensing and supervision of debt management services in the Commonwealth (House, No. 4303), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Costello of Newburyport. Debt management services.

Pending the question on passing the bill to be engrossed, the same member moved to amend it in line 95 by adding the following paragraph:

“(11) Licensed Massachusetts real estate brokers and salespersons who, in connection with listing or marketing a property for sale, communicate with the seller’s lender about compromising the amount owed in order to facilitate sale of the property.”.

The amendment was adopted; and the bill (House, No. 4303, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The following House bills were discharged from their position in the Orders of the Day and read a second time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. Michlewitz of Boston:

Boston Housing Authority.	Relative to a form of governance for the Boston Housing Authority (House, No. 4008);
Blackstone,— election.	Validating the actions taken at a certain annual town election held on April 2, 2012 in the town of Blackstone (printed in House, No. 4134);
Lincoln,— election.	Validating the actions taken at a certain election held in the town of Lincoln (printed in House, No. 4135);
Danvers,— liquor license.	Authorizing the town of Danvers to grant an additional license for the sale of all alcoholic beverages (House, No. 4168);
Marion.	Regarding the town of Marion Open Space Acquisition Commission (House, No. 4188);
Hubbardston.	Establishing a charter for the town of Hubbardston (House, No. 4209);
Westborough.	Amending the charter of the town of Westborough (House, No. 4211);
Acushnet,— housing.	Providing for the establishment and administration of rent regulations and the control of evictions in manufactured housing communities in the town of Acushnet (House, No. 4221);
Oakham,— treasurer.	Establishing the position of treasurer-collector in the town of Oakham (House, No. 4232);
Plympton.	Relative to a special fund in the town of Plympton (House, No. 4276);
Wales.	Providing for recall elections in the town of Wales (House, No. 4281);
Id.	Creating a library building fund for the town of Wales (House, No. 4282); and
Watertown,— Menton Corner.	Designating a certain corner in the town of Watertown as Menton Corner (House, No. 4287); and they Severally were ordered to a third reading.

Emergency Measure.

South Hadley,—
land.

The engrossed Bill authorizing the directing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (see House, No. 4341) (which originated in the House), 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 58 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—
yea and nay
No. 355.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 355 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

Maynard,—
land.

The engrossed Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic

system (see House, No. 4335, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 356.

[See Yea and Nay No. 356 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Papers from the Senate.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (Senate, No. 2338, amended) came from the Senate with the endorsement that said branch had NON-concurred with the House in its amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4338.

Lawrence,—
property
lease.

On motion of Mr. Devers of Lawrence, the House then receded from its amendment.

The House Bill relative to student access to educational services and exclusion from school (House, No. 4332, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out sections 10 and 11 and inserting in place thereof the following three sections:

Students,—
services and
school
exclusion.

“SECTION 10. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs associated with providing alternative educational services under section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed under section 5A of chapter 71B of the General Laws.

SECTION 11. The department of elementary and secondary education shall issue a report on the costs of implementation of this act not later than November 30, 2013. The department of elementary and secondary education shall file the report with the clerks of the senate and house of representatives, who shall forward the report to the chairs of the joint committee on education and the senate and house committees on ways and means.

SECTION 12. Sections 1 to 10, inclusive, shall take effect on July 1, 2014.”

Under suspension of Rule 35, on motion of Ms. Walz of Boston, 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.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text

Health care,—
quality and
costs.

Health care,—
quality and
costs.

contained in House document numbered 4155) to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270), recommending passage of a bill with the same title (Senate, No. 2400), came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Mr. Walsh of Lynn, the report was considered forthwith.

Conference
committee
report
accepted,—
yea and nay
No. 357.

After debate on the question on acceptance of the report, in concurrence, (Mr. Donato of Medford being in the Chair) the sense of the House was taken by yeas and nays, at the request of Mr. Walsh of Lynn; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See Yea and Nay No. 357 in Supplement.]

[Mr. Murphy of Burlington answered .Present. in response to his name.]

Therefore the report of the committee of conference was accepted, in concurrence.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

Economic
growth.

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2366; and inserting before the enacting clause an emergency preamble) of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119), recommending passage of a bill with the same title (House, No. 4352), was discharged from its position in the Orders of the Day and considered, under suspension of Rule 47, on motion of Mr. Wagner of Chicopee.

[Attached to the report was an erratta containing the following changes:

In line 1512 by striking out the following: “SECTION 35” and inserting in place thereof the following: “SECTION 35A”; in line 2428 by striking out the following: “29, 30 and 34” and inserting in place thereof the following: “31, 32 and 37”; and by striking out section 101.]

Conference
committee
report
accepted,—
yea and nay
No. 358.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 358 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Recess.

Recess.

At three minutes before six o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until seven o'clock; and at nineteen minutes after seven o'clock the House was called to order with Mr. Donato in the Chair.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the exchange of certain parcels of land in the town of Marshfield (House, No. 4365), was filed this day in the office of the Clerk. Marshfield,—
land.

The message was read; and it was referred, on motion of Mr. Cantwell of Marshfield, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, then reported on the foregoing message, a Bill authorizing the exchange of certain parcels of land in the town of Marshfield (printed in House, No. 4365). 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 matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Cantwell, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Papers from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4330) to the Senate Bill regarding families and children engaged in services (Senate, No. 1963), recommending passage of a bill with the same title (Senate, No. 2410), came from the Senate with the endorsement that it had been accepted by said branch. Families and
children
engaged in
services.

Under suspension of the rules, on motion of Mr. Donato of Medford, the report was considered forthwith; and it was accepted, in concurrence.

The House Bill providing hearing aids for children (House, No. 52, changed), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 18, striking out the following: "47U" and inserting in place thereof the following: "47X"; in section 3, in line 43, striking out the following: "8U" and inserting in place thereof the following: "8Y"; in section 4, in lines 65 and 66, striking out the following: "Section 4U of chapter 176B of the General Laws, as so appearing, is hereby amended by adding the following paragraph:— (f)" (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following: "Chapter 176B of the General Laws, as so appearing, is hereby amended by inserting, after section 4DD, the following section:— Section 4EE."; and adding the following section: Children,—
hearing
aids.

"SECTION 6. This act shall apply to all policies, contracts and certificates of health insurance subject to section 23 of chapter 32A of the General Laws, section 47U of chapter 175 of the General Laws, section 8U of chapter 176A of the General Laws, section 4EE of chapter 176B

Children,—
hearing
aids.

of the General Laws and section 4N of chapter 176G of the General Laws which are delivered, issued or renewed on or after January 1, 2013.”.

Under suspension of Rule 35, on motion of Mr. Garballey of Arlington, 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.

Springfield,—
park land.

The House Bill authorizing the city of Springfield to convey certain park land and to grant a license agreement over certain park land to Unifirst Corporation (House, No. 3874), 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 2301.

Under suspension of Rule 35, on motion of Mr. Petrolati of Ludlow, 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.

Cleft palate
and
cleft lip.

The House Bill relative to the treatment of cleft palate and cleft lip (House, No. 3928), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

“SECTION 8. This act shall apply to all policies, contracts and certificates of health insurance subject to chapter 32A, 118E, 175, 176A, 176B, 176G and 176I of the General Laws which are delivered, issued or renewed on or after January 1, 2013.”.

Under suspension of Rule 35, on motion of Mr. Walsh of Lynn, 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.

Wellfleet,—
easement.

The House Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (House, No. 4171), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 2, in line 22, inserting after the word “town” the words “and the proceeds thereof shall be deposited in a fund dedicated to the acquisition of conservation land in the town.”.

Under suspension of Rule 35, on motion of Ms. Peake of Provincetown, 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.

Fairhaven,—
easement.

The House Bill authorizing the town of Fairhaven to grant an easement over certain land (House, No. 4172), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1 adding the following sentence: “The grant of easement authorized in this section shall be subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B.”; and striking out section 2 and inserting in place thereof the following two sections:

“SECTION 2. As a condition of the conveyance authorized in section 1, the town of Fairhaven shall transfer a parcel of land dedicated for general municipal purposes to the conservation commission for

conservation purposes. If no suitable parcel can be transferred for conservation purposes, the town shall acquire a parcel of land or a conservation easement, as defined in section 31 of chapter 184 of the General Laws. Such land or easement shall be dedicated to conservation purposes and shall be placed under the jurisdiction of the conservation commission. The parcel dedicated pursuant to this section shall be of equal or greater size and value for conservation purposes to the parcel described in section 1, as determined by the conservation commission.

SECTION 3. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Straus of Matapoisett, 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 Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (House, No. 4174), 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 2405.

Shrewsbury,—
land.

Under suspension of Rule 35, on motion of Mr. Beaton of Shrewsbury, 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.

The House Bill authorizing the town of Cohasset to transfer certain interests in land (House, No. 4230), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 5 the following section:

Cohasset,—
land.

“SECTION 5A. In consideration for and as a condition of the transfer of land authorized in sections 1 through 4, the town of Cohasset shall dedicate a parcel of land shown as ‘lot 2’ on a plan entitled ‘Plan of Land, North Main Street & Sohier Street in Cohasset, MA’, dated October 25, 2011 and prepared by Cavanaro Consulting and containing approximately 7.39 acres, for permanent recreation purposes.”

Under suspension of Rule 35, on motion of Ms. Peake of Provincetown, 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.

The House Bill making appropriations for the fiscal years 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4334), came from the Senate passed to be engrossed, in concurrence, with the following amendments:

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In section 2, in item 2800-0700, striking out the figures “\$350,000” and inserting in place the figures “\$1,100,000”;

In section 2A, inserting after item 1599-4420 the following item:

“1599-6263 For a reserve for the purposes of eradication and control of mosquitoes to prevent the spread of eastern equine encephalitis; provided, that the secretary of administration and finance shall

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report on the expenditures from this account including, but not limited to, the amount spent from this account during the fiscal year, the communities where spraying occurred and the amount spent per community \$2,000,000”;

and in said section 2A, inserting, after item 1599-4380, the following item:

“7002-0035 For a reserve to support the commonwealth’s defense sector initiatives \$350,000”;

In section 2C.I, inserting after item 1599-4420 the following item:

“1599-6263 \$2,000,000”;

and in said section 2C.I, in item 2800-0700, striking out the figures “\$350,000” and inserting in place thereof the following figures “\$1,100,000”;

Striking out sections 3 and 4 and inserting in place thereof the following six sections:

“SECTION 3. Clause (1) of subsection (c) of section 98 of chapter 6 of the General Laws, as appearing in section 17 of chapter 165 of the acts of 2012, is hereby amended by adding the following words:—, but any such regulations or guidelines shall not apply to the commonwealth.

SECTION 3A. Chapter 6A of the General Laws is hereby amended by inserting after section 16G the following section:—

Section 16H. (a) There shall be a Housing and Economic Development Trust to be administered by the secretary of housing and economic development. Monies in the trust shall be deposited with the state treasurer in a manner that will secure the highest interest rate available consistent with the safety of the trust and with the requirement that all amounts on deposit be available for immediate use.

(b) The secretary shall appoint the fund’s trustee, who shall serve until a successor is appointed.

(c) There shall be credited to the trust:

(1) grants, bequests, gifts or contributions of cash or securities, or contributions of services or property in kind from any persons or other governmental, nongovernmental, quasi-governmental or local governmental entities made for the purpose of supporting the executive office of housing and economic development as set forth in subsection (d); and

(2) all interest earned on monies in the trust.

(d) Expenditures from the trust shall not be subject to appropriation and balances remaining at the end of a fiscal year shall not revert to the General Fund. Expenditures from the trust shall be made only for the following purposes:

(1) operating costs of the executive office of housing and community development, including the divisions and programs within the executive office;

(2) operating costs of the Massachusetts marketing partnership and the offices within the partnership, including the Massachusetts international trade office, the commonwealth marketing office, the office of travel and tourism, the Massachusetts film office and the Massachusetts sports partnership; and the Massachusetts office of business

development, including the divisions and programs within that office; and

(3) costs associated with housing and economic development programs, grants and initiatives of the secretary.

(e) Funds deposited and expended from the trust shall not be assessed any indirect costs.

(f) For the purpose of accommodating timing discrepancies between the trust's receipt of revenues and related expenditures, the trust may incur expenses and the comptroller may certify payments from the trust in anticipation of trust receipts based on estimated receipts as certified by the trustee. The trustee shall insure that no expenditures from the trust shall cause the trust to be in deficiency at the close of a fiscal year.

SECTION 3B. Section 5I of chapter 18 of the General Laws, as amended by chapter 139 of the acts of 2012, is hereby further amended by adding the following subsection:—

(d) the department shall submit semi-annual reports detailing enforcement and violations of the section. The report shall include, but not necessarily be limited to, the number of alleged violations reported, the number of alleged violations investigated, the number of violations found, the amount received for reimbursements for purchases made in violation of this section, the number of 2 month disqualifications, the number of permanent disqualification notices, hearings, and permanent disqualifications, and further specify actions taken to improve the implementation of this section and limit the number of eligible recipients who knowingly make a prohibited purchase in violation of this section. The reports shall be filed with the clerks of the house of representatives and the senate, with the first report to be filed not later than March 15, 2013.

SECTION 4. Chapter 20 of the General Laws is hereby amended by adding the following section:—

Section 32. There shall be established and set upon the books of the commonwealth an Agricultural Inspection and Infrastructure Trust Fund, consisting of: (i) fee revenues from apiary inspections under sections 32 and 35 of chapter 128, poultry inspections under section 124 of chapter 94, registration of animal rescue and shelter operations under section 39A of chapter 129 and registration of pesticide companies; (ii) interest or investment earnings on such monies; and (iii) all other monies credited or transferred to the fund by law. The commissioner shall be the trustee of the fund and may expend monies in the fund without further appropriation for programs and costs related to the following: (1) sections 32 to 38, inclusive, and sections 64 and 65 inclusive of chapter 128; (2) the integrated pest management program established in chapter 132B and in chapter 85 of the acts of 2000; (3) spay and neuter programs and animal rescue and shelter programs established under section 139A of chapter 140; (4) poultry testing programs established in 330 CMR 5.00 seq; and (5) the Agricultural Innovation Center.

Any unexpended balance in the fund at the end of the fiscal year, not to exceed \$200,000, shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

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SECTION 4A. Section 20 of chapter 29 of the General Laws, as appearing in section 112 of chapter 165 of the acts of 2012, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The provisions of this section relating to bonds shall also be applicable to the issuance of notes insofar as such provisions may be appropriate for such notes.

SECTION 4B. The first paragraph of section 5G of said chapter 29, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:— If the department of revenue certifies that the amount of tax revenues estimated to have been collected from capital gains income exceeds \$1,000,000,000 in a fiscal year, the comptroller shall transfer quarterly any such amount that exceeds \$1,000,000,000 collected during that fiscal year to the Commonwealth Stabilization Fund established in section 2H. The \$1,000,000,000 threshold established in the preceding sentence shall be adjusted annually to reflect the average annual rate of growth in United States gross domestic product over the preceding 5 years based on the most recently available data published by the Bureau of Economic Analysis in the United States Department of Commerce.”;

Inserting after section 5 the following section:

“SECTION 5A. The second paragraph of section 60A of said chapter 29, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:— For each subsequent fiscal year, the limit shall be the product of the limit established for the previous fiscal year and 1.05.”;

Inserting after section 7 the following three sections:

“SECTION 7A. Section 81 of chapter 146 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the definition of ‘Pipefitting’ and inserting in place thereof the following definition:—

‘Pipefitting’, the installation, repair, replacement, maintenance or alteration of any apparatus for piping appliances, devices or accessories for heating systems having a rating greater than 700,000 British Thermal Units, including apparatus and piping for the general use of conveyance of steam and associated pumping equipment, vacuum and pneumatic systems, oil and petroleum products, ice making machinery, air conditioning equipment, piping systems used for the conveyance and storage of Category M liquids, as defined in ASME B31.3 Process Piping manual and high pressure systems over 150 pound-force per square inch gauge or hazardous industrial type gases used in processes, biopharma or semi-conductor manufacturing, but excluding sheet metal work, refrigeration systems, boilers and plumbing as defined under the rules and regulations of the board of state examiners of plumbers promulgated under sections 4 and 13 of chapter 142.

SECTION 7B. Section 89 of said chapter 146, as so appearing, is hereby amended by adding the following 2 paragraphs:—

Whoever prevents, or attempts to prevent, an inspector from entering any premises in the discharge of the inspector’s duty shall be punished by a fine of not less than \$250 and not more than \$3,000, or by imprisonment for not more than 3 months, or both such fine and imprisonment.

Any person who permits an unlicensed person to engage in pipefitting, as defined in section 81, shall be punished by a fine of not less than \$1,000 and not more than \$3,000, or by imprisonment for not more than 3 months, or both such fine and imprisonment.

SECTION 7C. The last paragraph of section 22 of chapter 61 of the acts of 2009 is hereby amended by striking out the words ‘April 30, 2012’, inserted by section 22 of chapter 36 of the acts of 2012, and inserting in place thereof the following words:— October 31, 2012.’;

Inserting after section 14 the following section:

“SECTION 14A. Said chapter 142 is hereby further amended by striking out section 94 and inserting in place thereof the following section:—

Section 94. There shall be established and set up on the books of the commonwealth a Substance Abuse Services Fund. The commissioner of public health shall serve as the fund’s trustee. Funds in the fund shall be used to expand inpatient treatment facilities and ongoing case management for individuals civilly committed under section 35 of chapter 123 of the General Laws. Prior the end of fiscal year 2012, the comptroller shall transfer \$10,000,000 from the General Fund to the Substance Abuse Services Fund. Upon the submission of a spending plan for this fund to the secretary of administration and finance, the house and senate committees on ways and means and the clerks of the house and senate, the commissioner may make expenditures from the fund for the purpose of expanding inpatient treatment facilities and ongoing case management. In developing the spending plan, the commissioner shall hold at least 1 public hearing and shall consult with the commissioner of mental health, the court administrator of the trial court, a representative of the Massachusetts Medical Society, a representative of the Massachusetts Organization for Addiction Recovery and a representative of the Association for Behavioral Healthcare. The commissioner shall submit a draft spending plan to the house and senate committee on ways and means 45 days prior to the submission of the final plan. This fund shall be in effect until June 30, 2013.’;

Inserting after section 21 the following two sections:

“SECTION 21A. Item 1599-0026 of said section 2 of said chapter 139 is hereby amended by adding the following words:— ; provided further, that funds from this item may be expended to reimburse municipalities for tuition and transportation costs under section 7C of chapter 74 of the General Laws; and provided further, that any reimbursements for tuition under the preceding proviso shall be in addition to allowable federal grants used to cover reimbursement costs and approved by the department of elementary and secondary education for expenditure in fiscal year 2013.

SECTION 21B. Item 2000-0100 said section 2 of said chapter 139 is hereby amended by adding the following words:— ; and provided further, that any funds appropriated in fiscal year 2012 for a program of collaborative research with the Massachusetts Maritime Academy that applies sonar technology over significant surface area of the ocean to assess the biomass of groundfish in the region managed by the New England Fishery Management Council shall not revert and shall be made available for such purposes in fiscal year 2013.’;

Inserting after section 22 the following section:

“SECTION 22A. Item 2800-0700 of said section 2 of said chapter 139 is hereby amended by adding the following words:— ; provided further,

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that not less than \$350,000 shall be expended for repairs to the Upper Bondsville Dam in the town of Belchertown; and provided further, that not less than \$750,000 shall be expended for repairs to the Town Brook Dam in the town of Plymouth.”; Inserting after section 25 the following section:

“SECTION 25A. Item 4590-1507 of said section 2 of said chapter 139 is hereby amended by striking out the words ‘and provided further, that the department of public health shall award not less than \$800,000 each to the Massachusetts Alliance of Boys and Girls Clubs and the Alliance of Massachusetts YMCAs, which shall be distributed equally between the respective recipients’ member organizations’ and inserting in place thereof the following words:— provided further, that the department of public health shall award not less than \$800,000 to the Massachusetts Alliance of Boys and Girls Clubs and \$725,000 to the Alliance of Massachusetts YMCAs, which shall be distributed equally between the respective recipients’ member organizations; and provided further, that not less than \$75,000 shall be awarded to the Alliance of Massachusetts YMCAs for the alliance to support the expansion of existing YMCAs to communities not currently served by a YMCA.”;

Striking out sections 29 and 30 and inserting in place thereof the following section:

“SECTION 30. Said chapter 139 is hereby further amended by striking out section 154 and inserting in place thereof the following section:—

Section 154. (a) Notwithstanding any general or special law to the contrary, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 in the following order of precedence: (i) make available to be used as revenue for fiscal year 2013 an amount equal to .5 per cent of the total revenue from taxes in fiscal year 2012; (ii) transfer \$15,000,000 to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 231 of the General Laws; (iii) transfer \$20,000,000 to the Health Care Workforce Transformation Trust Fund established in section 2FFFF of chapter 29 of the General Laws; (iv) distribute not more than \$2,703,119 to the New Bedford public school district to account for the district’s actual low-income enrollment, as defined by section 2 of chapter 70 of the General Laws, which amount shall be included in the district’s fiscal year 2013 chapter 70 aid and shall be considered base aid for the purpose of calculating fiscal year 2014 chapter 70 aid; provided, that said amount shall be certified by the department of elementary and secondary education prior to final transfer; (v) make available \$40,000,000 to be used as revenue in fiscal year 2013; and (vi) transfer any remaining amount of the consolidated net surplus to the Stabilization Fund; provided, however, that all funds transferred under clauses (i) to (v), inclusive shall be made available in the General Fund in fiscal year 2013.

(b) To the extent that balances in the General Fund are insufficient to carry out the transfers under subsection (a), the transfers shall be made from the other budgetary funds proportionally from those undesignated fund balances, but no such transfer shall cause a deficit in any of those funds; provided, however, that prior to certifying the consolidated net surplus, the comptroller shall, to the extent possible, elimi-

nate deficits in any fund contributing to the surplus by transferring positive fund balances from any other fund contributing to the surplus.”;

Inserting after section 31 the following four sections:

“SECTION 31A. Section 188 of said chapter 139 is hereby amended by striking out the words ‘2011 amendments’ and inserting in place thereof the following words:— 2011 and 2012 amendments.

SECTION 31B. Section 189 of said chapter 139 is hereby amended by striking out the words ‘2011 amendments’ and inserting in place thereof the following words:— 2011 and 2012 amendments.

SECTION 31C. Said section 189 of said chapter 139 is hereby further amended by striking out clause (gg) and inserting in place thereof the following clause:—

(gg) between the commonwealth and AFSCME Local 653, for the Essex North/South registry of deeds;

SECTION 31D. Said section 189 of said chapter 139 is hereby further amended by adding the following 3 clauses:—

(kk) between the commonwealth and AFSCME Local 414, for the Middlesex South registry of deeds;

(ll) between the commonwealth and SEIU Local 888, for the Suffolk registry of deeds; and

(mm) between the commonwealth and SEIU Local 888, for the Worcester North registry of deeds.”;

Inserting after section 35 the following four sections:

“SECTION 35A. A person who was not required to be licensed pursuant to section 84 of chapter 146 of the General Laws and who shall submit satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that such person has been actively engaged in the pipefitting industry for a period of 4 years prior to the effective date of this act and who has applied for a license within 1 year after the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued a master pipefitter’s license upon payment of the applicable fee.

A person who was not required to be licensed pursuant to said section 84 of said chapter 146 and who shall submit satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that such person has been actively engaged in the pipefitting industry for a period of 3 years prior to the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued a journeyman’s pipefitter’s license upon payment of the applicable fee; provided, however, that for the purposes of this section, completion of an apprentice training program by any such persons shall not be required.

Any proof required to be submitted under this section shall be accompanied by a statement that such information has been submitted under the pains and penalties of perjury.

SECTION 35B. The department of public safety shall file a report with the secretary of administration and finance and the house and senate committees on ways and means containing funding recommendations necessary to enforce pipefitting licensing and inspection of work undertaken by licensed pipefitters under sections 81 to 89, inclusive, of chapter 146 of the General Laws. The department shall file the report not later than February 1, 2013.

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SECTION 35C. The salary adjustments and other cost items authorized by the 2011 and 2012 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws; provided, however, that the costs associated with these agreements may be funded from item 1599-4444 of section 2 of chapter 139 of the acts of 2012:

(a) between the Middlesex sheriff and the Superior Officers Association (Unit SM4);

(b) between the Norfolk sheriff and the National Association of Government Employees, Local 296 (SN3);

(c) between the Norfolk Sheriff and the Norfolk Superior Officers, Local 295 (Unit SN2);

(d) between the University of Massachusetts and the International Brotherhood of Police Officers, Local 432 (A&B Units) for the Amherst campus; and

(e) between the University of Massachusetts and the International Association of University Police Officers (Unit L94), for the Lowell campus.

SECTION 35D. The salary adjustments and other cost items authorized by the 2011 and 2012 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(a) between the trial court and the National Association of Government Employees/Service employees International Union Local 5000 (Units J2C and J2P); and

(b) between the trial court and the OPEIU Local 6 (Units J6C and J6P).”; and

Adding the following three sections:

“SECTION 40. Notwithstanding any general or special law to the contrary, or the availability of federal financial participation for the expenditure, the executive office of health and human services shall not deem ineligible any hospital licensed health center for consideration for any funds or grants to serve MassHealth recipients as long as the hospital licensed health center is otherwise qualified, if the hospital is not eligible to receive such funds or grants; provided however, that the executive office shall not award any funds or grants to any hospital licensed health center if such award would result in the loss of federal financial participation for any other MassHealth initiative.

SECTION 41. The department of housing and community development shall conduct an examination of the ‘HomeBASE’ program, so-called, to determine its efficacy in reducing dependence on shelter housing and homelessness, its achievements of cost-saving and efficiencies, its sustainability within current budgetary parameters, and any additional resources required in order for the program to meet its goals and remain viable for the next five fiscal years. The results of said examination, together with any legislative recommendations, shall be filed with the clerks of the house and the senate not later than 90 days after the effective date of this act.

SECTION 42. Sections 3, 4A, 4B, 5 and 5A shall take effect on January 1, 2013.”.

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

The same member then moved that the House concur with the Senate in its amendments with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4367. The further amendment was adopted.

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

The Senate Bill relative to simulcasting (Senate, No. 2408) (on Senate bill No. 2219), passed to be engrossed by the Senate, was read; and it was referred to the committee on Ways and Means.

Simulcasting.

Mr. Dempsey of Haverhill, for said committee, reported 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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was then read a third time forthwith; and it was passed to be engrossed, in concurrence.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to license plates in the commonwealth (Senate, No. 2387), 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 4369. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

License plates.

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

Under suspension of Rule 7A, on motion of Mr. Kafka the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill, as amended, was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill was read a third time; and it was passed to be engrossed, in concurrence. The bill (Senate, No. 2387, amended) then was sent to the Senate for concurrence in the amendment.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill to include call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Fire Service Commission,—
volunteer
and call
firefighters.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Naturopathy,—
board.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill establishing a board of registration in naturopathy (Senate, No. 2377), 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 4368. 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 Rule 7A, on motion of Mr. O'Day of West Boylston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2377, amended) was ordered to a third reading.

Engrossed Bill.

Bills
enacted.

The engrossed Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (see Senate, No. 2400) (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.

Emergency Measures.

Susan
Tremblay,—
sick leave
bank.

The House Bill establishing a sick leave bank for Susan Tremblay, an employee of the Department of Correction (see House, No. 4192), 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 67 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.

Worcester,—
land.

The engrossed Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (see House, No. 4033, amended) (which originated in the House), 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 51 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—
yea and nay
No. 359.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes,

etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 359 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (see House, No. 4339) (which originated in the House), 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.

Needham,—
land.

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 50 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 360.

[See Yea and Nay No. 360 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (see House, No. 4340) (which originated in the House), 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.

Halifax,—
land.

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 60 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 361.

[See Yea and Nay No. 361 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Motor
vehicle
repairs.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 104 and House, Nos. 102 and 1016, a Bill protecting motor vehicle owners and small businesses in repairing motor vehicles (House, No. 4362). 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 matter be scheduled for consideration by the House.

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

Subsequently (Mrs. Haddad of Somerset being in the Chair), under suspension of the rules, on motion of Mr. Speliotis, the bill was read a third time.

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, Mr. Speliotis of Danvers moved to amend it in line 199 by striking out the following: "93B. and inserting in place thereof the following: "93J.; and the amendment was adopted.

Bill passed to
be engrossed,—
yea and nay
No. 362.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Ms. Reinstein of Revere; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 362 in Supplement.]

Therefore the bill (House, No. 4362, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Suspension of Rule 1A.

Suspension
of Rule 1A.

The Chair (Mrs. Haddad of Somerset) then placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Rule 1A
suspended,—
yea and nay
No. 363.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 120 members voted in the affirmative and 33 in the negative.

[See Yea and Nay No. 363 in Supplement.]

Therefore Rule 1A was suspended.

Engrossed Bill — State Loan.

Economic
growth.

The engrossed Bill relative infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (see House, No. 4352) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(state loan),—
yea and nay
No. 364.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution);

and on the roll call 152 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 364 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (see House, No. 4278, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Lee,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 365.

[See Yea and Nay No. 365 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the exchange of certain parcels of land in the town of Marshfield (see House bill printed in House, No. 4365) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Marshfield,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 366.

[See Yea and Nay No. 366 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having voted in the affirmative); and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

The engrossed Bill relative to simulcasting (see Senate, No. 2408), 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.

Simulcasting.

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 43 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

Supplemental
appropriations.

The engrossed Bill making appropriations for the fiscal years 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4334, 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 36 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.

Hinsdale,—
land.

The engrossed Bill authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (see Senate, No. 2385, amended) (which originated in the Senate), 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 88 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—
yea and nay
No. 367.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 367 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Shrewsbury,—
land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (see House, No. 4342, amended) (which originated in the House), 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 68 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(land taking),—

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for

the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

yea and nay
No. 368.

[See Yea and Nay No. 368 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (see Senate, No. 2338) (which originated in the Senate), 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.

Lawrence,—
land.

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 39 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 369.

[See Yea and Nay No. 369 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2376) of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4193), reported recommending passage of a bill with the same title (House, No. 4371). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation
bond.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Straus, the report was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of Mr. Straus; and on the roll call 151 members voted in the affirmative and 2 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 370.

[See Yea and Nay No. 370 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Afterschool, etc.
council.

Establishing the afterschool and out-of-school time coordinating council (Senate No. 2111);

Agricultural
products.

To promote environmentally sound transportation of agricultural products (Senate, No. 2118);

Trench safety.
Buildings.

Relative to trench safety (Senate, No. 2378, amended);

Relative to manufactured buildings (Senate, No. 2401);

Victims,—
housing
rights.

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402);

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

Off-highway
and recreation
vehicles.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to the use of off-highway and recreation vehicles (Senate, No. 2381), ought to pass with an amendment by adding the following section:

“SECTION 4. Paragraph (1) of subsection (a) of section 26 of chapter 90B of the General Laws, as so appearing, is hereby amended by striking out the first 2 sentences and inserting in place thereof the following sentence:—No person under 14 years of age shall operate an all terrain vehicle or recreation utility vehicle unless said person is operating such vehicle while a participant in a sanctioned race, rally or organized event which is supervised by a person aged 18 or older and which has been authorized or approved by a municipal permitting authority or operating such vehicle in preparation for such race, rally or organized event while directly supervised.”

Regionalization.

By the same member, for the same committee, that the Bill to promote municipal collaboration and regionalization throughout the Commonwealth (House, No. 3732), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4370).

Snowmobile
safety.

By the same member, for the same committee, that the Bill establishing a snowmobile educational safety program (House, No. 3941), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4359).

Land taking
regulations.

By the same member, for the same committee, that the Bill relative to land taking regulations (House, No. 4208), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4360).

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

Engrossed Bills — Land Takings.

Wellfleet,—
easement.

The engrossed Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (see House, No. 4171, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 371.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Consti-

tution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 371 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Cohasset to transfer certain interests in land (see House, No. 4230, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Cohasset,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 372.

[See Ye and Nay No. 372 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the town of Fairhaven to grant an easement over certain land (see House, No. 4172, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Fairhaven,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 373.

[See Ye and Nay No. 373 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Relative to collective bargaining agreements (see House, No. 1402, amended);

Bills
enacted.

Relative to renovation and repair contracts (see House, No. 4242, amended);

Relative to student access to educational services and exclusion from school (see House, No. 4332, amended); and

Protecting motor vehicle owners and small businesses in repairing motor vehicles (see House, No. 4362, 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.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see

General
Appropriation
Bill.

General
Appropriation
Bill.

House, No. 4240), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200), reported, in part, that item 7061-0011 stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Dempsey of Haverhill, the report was considered forthwith.

Item 7061-0011 (contained in section 2) (elementary and secondary education), which had been disapproved by the Governor then was considered.

Elementary
and
secondary
education
item 7061-0011
stands,—
yea and nay
No. 374.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call (the Speaker being in the Chair) 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 374 in Supplement.]

Therefore item 7061-0011 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Emergency Measure.

Transportation
bond.

The engrossed Bill financing improvements to the Commonwealth's transportation system (House, No. 4371), 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 48 to 0. Sent to the Senate for concurrence.

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

Bill enacted
(state loan
land-taking),—
yea and nay
No. 375.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution, and this also being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 375 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Subsequently a statement of Mr. Cantwell of Marshfield was spread upon the records of the House, as follows:

MR. SPEAKER: During the taking of the above yeas and nays, I was absent from the House Chamber on official business in another part of the State House, and therefore was not recorded. If I had been present for the taking of the roll call, I would have voted in the affirmative.

Statement of
Mr. Cantwell
of Marshfield.

Engrossed Bill.

The engrossed Bill regarding families and children engaged in services (see Senate, No. 2410) (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 Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. Dempsey of Haverhill,—

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

Next
sitting.

Ms. Wolf of Cambridge then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eight minutes after twelve o'clock A.M. (Wednesday, August 1), there being no objection (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Thursday, August 2, 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.

*Message from the Governor — Bill Returned with
Recommendation of Amendment.*

Newburyport,—
civil service.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill exempting the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from the civil service law and section 11 of chapter 142 of the General Laws [see House, No. 3848] (for message, see House, No. 4366), was filed in the office of the Clerk on Tuesday, July 31.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O'Day of West Boylston, to the committee on Bills in the Third Reading.

Reports of Committees.

Snowmobile
educational
safety
program.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a snowmobile educational safety program (House, No. 3941), 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.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4359),— was adopted; and the substituted bill 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:

Senate bills

Volleyball.

Relative to designating volleyball as the official recreational and team sport of Massachusetts (Senate, No. 1709);

Afterschool
council.

Establishing the afterschool and out-of-school time coordinating council (Senate, No. 2111, amended);

Tax
appeals.

Providing taxpayers a hearing at the Appellate Tax Board (Senate, No. 2187);

Designating certain bridges under the control of the Massachusetts Department of Transportation in the town of Raynham and the city of Taunton (Senate, No. 2337);

Raynham,
etc.,—
bridges.

Relative to the use of off-highway recreation vehicles (Senate, No. 2381); and
House bills

RV's.

Relative to historic homes (House, No. 442); and

Historic homes.

Relative to collection of estimated water assessments and general fund reimbursement in the town of Charlton (House, No. 4203) [Local Approval Received];

Charlton,—
collections.

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. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 1027, a Bill establishing a board of registration of phlebotomists (House, No. 4377). Read; and referred, under Rule 33, to the committee on Ways and Means.

Phlebotomists,—
registration.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to the retirement allowance of Derek Cook in the city of Springfield (House, No. 4114) [Local Approval Received].

Springfield,—
Derek Cook.

By the same member, for the same committee, on a joint petition, a Bill relative to civil service positions in the city of Agawam (House, No. 4189) [Local Approval Received].

Agawam,—
civil service.

By the same member, for the same committee, on a petition, a Bill relative to the town of Wilbraham police department (House, No. 4212, changed in section 1, in line 6, by inserting after the word "superannuation." the following sentence: "The special police officers shall be subject to the same maximum age restriction as applied to regular police officers under Chapter 32 of the General Laws."; and by striking out section 10) [Local Approval Received].

Wilbraham,—
police
department.

By the same member, for the same committee, on a joint petition, a Bill to exempt the position of deputy police chief of the town of Westwood (House, No. 4233) [Local Approval Received].

Westwood,—
deputy police
chief.

By the same member, for the same committee, on a petition, a Bill authorizing Adam A. Seguin to take the civil service examination for appointment as a police officer in the town of Ware notwithstanding the maximum age requirement (House, No. 4283) [Local Approval Received].

Ware,—
Adam A.
Seguin.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill authorizing the Cedar Meadow Lake Watershed District to prolong betterment payments (House, No. 4319).

Cedar
Meadow
Lake
Watershed
District.

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

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 918, 928, 1782, 1799, 1805, 1816, 2645, 2648, 2653, 2658, 2659, 2660, 2664, 2914, 2986, 3072, 3079, 3096, 3382, 3420, 3852, 3993, 4059, and 4072, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain

Transportation,—
study.

Transportation,— House documents concerning matters relative to transportation issues study. (House, No. 4376). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

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.

Motorcycle operation,— learner's permits.

Mr. Binienda of Worcester, for the committee on Rules, on the foregoing Order, then reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 928) of Ronald Mariano relative to the issuance of learner's permits for the operation of motorcycles; and recommending that the same be recommitted to the committee on Transportation. Under Rule 42, the report was considered forthwith; and it was accepted.

Engrossed Bills.

Engrossed bills

Bills enacted.

Providing hearing aids for children (see House, No. 52, changed and amended); and

Relative to the treatment of cleft palate and cleft lip (see House, No. 3928, 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 it were signed by the acting Speaker and sent to the Senate.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

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

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Monday, August 6, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. O'Day of West Boylston 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. O'Day), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. Hecht of Watertown) supporting Nagorno-Karabakh's right to self-determination and efforts to develop its democracy; Nagorno-Karabakh.

Resolutions (filed by Ms. Malia of Boston) congratulating Marylou Sudders on her retirement as President and Chief Executive Officer of the Massachusetts Society for the Prevention of Cruelty of Children; and Marylou Sudders.

Resolutions (filed by Mr. Sánchez of Boston) honoring Alfredo de Jesus and his many accomplishments as founder of the Puerto Rican Festival; Alfredo de Jesus.

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

Semi-Annual Report.

The semi-annual report of the Insurance Fraud Bureau (pursuant to Section 1 (k) of Chapter 338 of the Acts of 1990, as most recently amended by Section 5 of Chapter 279 of the Acts of 2002) containing trends in fraudulent automobile insurance claims [copies of said report were referred, as required under said law, to the committees on Financial Services and Labor and Workforce Development], was placed on file. Insurance Fraud Bureau.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Campbell of Methuen, a petition (subject to Joint Rule 12) of Linda Dean Campbell and others for legislation to require that financial institutions pay cities and towns fifty per cent of the property taxes owed on foreclosed mortgages. Foreclosure properties,—taxes.

By Mr. Sannicandro of Ashland, a petition (subject to Joint Rule 12) of Tom Sannicandro relative to the Disabled Persons Protection Commission. Disabled Persons Protection Commission.

Severally, under Rule 24, to the committee on Rules.

*Reconsideration.*Recreation
vehicles.

Mr. Dempsey of Haverhill asked that the vote be reconsidered by which the House, at the preceding sitting, ordered to a third reading the Senate Bill relative to the use of off-highway and recreation vehicles (Senate, No. 2381), and the motion to reconsider was entertained forthwith; and it prevailed.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by adding the following section:

“SECTION 4. Paragraph (1) of subsection (a) of section 26 of chapter 90B of the General Laws, as so appearing, is hereby amended by striking out the first 2 sentences and inserting in place thereof the following sentence:— No person under 14 years of age shall operate an all terrain vehicle or recreation utility vehicle unless said person is operating such vehicle while a participant in a sanctioned race, rally or organized event which is supervised by a person aged 18 or older and which has been authorized or approved by a municipal permitting authority or operating such vehicle in preparation for such race, rally or organized event while directly supervised.”— was adopted.

The bill (Senate, No. 2381, amended) then was ordered to a third reading.

*Engrossed Bill.*Bill
enacted.

The engrossed Bill designating a certain bridge in the city of Lowell as the Gentz Brothers Memorial Bridge (see House, No. 3951) (which originated in the House), 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twelve minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. O'Day of West Boylston in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, August 9, 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 — Bills Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to payment for use of ambulance services [see House, No. 3917, amended] (for message, see House, No. 4381), was filed in the office of the Clerk on Tuesday, August 7. Ambulance services,— payment.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. O’Day of Worcester, to the committee on Bills in the Third Reading.

A message from His Excellency the Governor returning with recommendation of amendment section 32 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4334, amended] (for message see House, No. 4386), was filed in the office of the Clerk on Tuesday, August 7. Supplemental appropriation bill.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the section was thereupon “before the General Court and subject to amendment and re-enactment”.

Pending the question on adoption of the amendment recommended by the Governor, the section (published as House, No. 4384), was referred, on motion of Mr. O’Day of West Boylston, to the committee on Bills in the Third Reading. Beaches,— water quality.

Message from the Governor — Supplemental Appropriation Bill Returned with Disapprovals and Reduction.

A message from His Excellency the Governor returning with his disapproval of certain items contained sections 2, 2A and 2C.I, reduction of item 0340-0400 contained in section 2C.I; and disapproval of sections 33, 36 and 40 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4334, amended] (for message, see House, No. 4385), was filed in the office of the Clerk on Tuesday, August 7. Supplemental appropriation bill.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

*Message from the Governor — Economic Growth Bill
Returned with Disapprovals.*

Economic
growth.

A message from His Excellency the Governor returning with his disapproval of sections 7, 26, 27, 28, 31, 32, 33, 34, 35A, 37, 38 through 46, 96 and 99 contained in the engrossed Bill relative to infrastructure investment, enhanced competitiveness, and economic growth in the Commonwealth [see House, No. 4352, amended] (for message, see House, No. 4387), was filed in the office of the Clerk on Tuesday, August 7.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Guests of the House.

North
Attleborough
Honey
Badgers.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced the North Attleborough Honey Badgers 7th Grade Girls Division 2 National Basketball Champions. Representing the team was Coach Matt Forbes, accompanied by players Ashley Ahern, Katie Nelson, Julie Strachan, Molly Lahiff, Nia Atkins, Caroline Collard, Sam Taggart, Emily Schromm and Emma Forbes. They were the guests of Representative Poirier of North Attleboro.

Bailee
Militello
and
family.

During the session, the Chair (Mr. Donato) declared a brief recess and turned the gavel over to Representative Ferrante of Gloucester. Ms. Ferrante then introduced Bailee Militello. Young Bailee opened a lemonade stand to support and assist the Cardone family of Gloucester after a devastating fire destroyed their home, raising over one thousand dollars for the victims. Bailee was accompanied by her mother, Briana Militello, her father, Jimmy Militello and her brother, Jimmy, Jr. They were the guests of Ms. Ferrante.

Resolutions.

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

Edward
Thomas
Hogan.

Resolutions (filed by Mr. Hill of Ipswich) congratulating Edward Thomas Hogan on receiving the Eagle Award of the Boy Scouts of America;

Walter
Woods.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Walter Woods for his years of service to the Massachusetts Water Resources Authority; and

Elizabeth
Freeman.

Resolutions (filed by Mr. Pignatelli of Lenox) on the occasion of the two hundred and thirty-first anniversary of the emancipation of Elizabeth Freeman;

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 Mr. Madden of Nantucket, 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 Department of Housing and Community Development (pursuant to item 7004-0101 contained in section 2 of Chapter 139 of the Acts of 2012) submitting proposed regulatory changes and subregulatory guidance for field operations not related to health and safety risks (copies of said communication forwarded to the committee on Ways and Means and the committee on Children, Families and Persons with Disabilities); and Housing and Community Development.

From the Department of Housing and Community Development (pursuant to item 7004-0101 contained in section 2 of Chapter 139 of the Acts of 2012) submitting proposed regulatory changes and subregulatory guidance for field operations related to health and safety risks (copies of said communication forwarded to the committee on Ways and Means and the committee on Children, Families and Persons with Disabilities); Id.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Boldyga of Southwick and Senator Welch, a joint petition (accompanied by bill, House, No. 4388) of Nicholas A. Boldyga and James T. Welch (with the approval of the mayor and city council) relative to the charter of the city known as the town of Agawam; and Agawam,—charter.

By Mr. Galvin of Canton, a petition (accompanied by bill, House, No. 4389) of William C. Galvin and others (by vote of the town) for legislation to create the position of treasurer-collector in the town of Avon; Avon,—treasurer-collector.

Severally to the committee on Municipalities and Regional Government.

By Representative Gifford of Wareham and Senator Pacheco, a joint petition (accompanied by bill, House, No. 4390) of Susan Williams Gifford and Marc R. Pacheco (by vote of the town) for legislation to allocate the local option meal tax for the purchase of capital items. To the committee on Revenue. Wareham,—meals tax.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Beaton of Shrewsbury and Senator Moore, a joint petition (subject to Joint Rule 12) of Matthew A. Beaton that the Secretary of Administration and Finance complete a study of the reduction and closing of the Irving A. Glavin Regional Center in Shrewsbury. Glavin Center,—closure.

By Ms. Coakley-Rivera of Springfield, a petition (subject to Joint Rule 12) of Cheryl A. Coakley-Rivera and others relative to death benefits for police officers and firefighters. Public safety officers,—death benefits.

By Mr. Jones of North Reading, a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., relative to the availability of epinephrine auto-injectors in schools. Schools,—epinephrine.

Property tax assessments.

By Mr. Walsh of Framingham, a petition (subject to Joint Rule 12) of Chris Walsh, Tom Sannicandro and Karen E. Spilka relative to property tax assessments.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Prescription drugs.

The Senate Bill relative to the prescription drug diversion, abuse and addiction (Senate, No. 2125, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House, No. 4346, amended), with a further amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate forthwith prescription drug diversion, abuse and addiction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

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

Premature infant care.

The House Bill relative to premature infant hospital discharge and quality improvement (House, No. 3826), 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 2406.

Under suspension of Rule 35, on motion of Mrs. Haddad of Somerset, 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.

Phosphorus runoff.

The House Bill relative to reducing phosphorus runoff (House, No. 4306), 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 2403, amended in section 7, in line 64, by inserting after the word “with” (the second time it appears) the words “and with the approval of”; and by striking out sections 8 and 9 and inserting in place thereof the following two sections:

“SECTION 8. Notwithstanding subsection (k) of section 2 of chapter 128 of the General Laws, any rule, regulation, ordinance or bylaw relative to nutrient management and fertilizer guidelines: (i) of a city or town in existence prior to July 1, 2013 shall remain enforceable by that city or town; (ii) adopted under chapter 561 of the acts of 1973, chapter 831 of the acts of 1977 and chapter 716 of the acts of 1989, shall remain enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by department of agricultural resources; or (iii) adopted in accordance with a regional water resources management plan under chapter 312 of the acts of 2008, shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources.

SECTION 9. Notwithstanding subsection (k) of section 2 of chapter 128 of the General Laws, any rule, regulation, ordinance or bylaw relative to nutrient management and fertilizer guidelines: (i) specific to sewerage sludge of a city or town in existence prior to July 1, 2013 shall remain enforceable by that city or town; (ii) adopted consistent with a comprehensive water resources management plan or integrated water resources management plan approved by the department of environmental protection shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources; or (iii) a regional water resources management plan under chapter 312 of the acts of 2008 shall be enforceable, so long as such rule, regulation, ordinance or bylaw is not less restrictive than regulations adopted by the department of agricultural resources.”; and by striking out the title and inserting in place thereof the following title: “An Act relative to the regulation of plant nutrients.”.

Under suspension of Rule 35, on motion of Mr. Fernandes of Milford, the amendments were considered forthwith.

Messrs. Fernandes of Milford and Peterson of Grafton then moved that the House concur with the Senate in its amendments with a further amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4394. 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.

Bills

Clarifying the definition of commercial motor vehicles (Senate, No. 1772) (on a petition); Commercial vehicles.

Relative to defense against abusive waivers (Senate, No. 2407) (on Senate bill No. 972); and Abusive waivers.

Relative to voluntary towing reform (Senate, No. 2411) (on Senate bill No. 1682); Voluntary towing.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A petition (accompanied by bill, Senate, No. 2413) of Gale D. Candaras (by vote of the town) for legislation to authorize the lease of certain property in the town of Ludlow, was referred, in concurrence, to the committee on Municipalities and Regional Government. Ludlow Community Center.

Reports of Committees.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick bank for Timothy J. O'Brien (House, No. 4378). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Timothy J. O'Brien,—sick leave bank.

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

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

Municipal
collaboration.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to promote municipal collaboration and regionalization throughout the Commonwealth (House, No. 3732), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith.

The amendment previous recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4370),— was considered.

Pending the question on adoption of the amendment, Mr. Madden moved to amend the proposed substitute bill by adding the following two sections:

“SECTION 14. Notwithstanding the provisions of paragraph (2) of subsection (b) of section 5 of chapter 44B, as amended by section 77 of chapter 139 of the acts of 2012, projects approved by a municipality utilizing community preservation funding for the acquisition of artificial turf for athletic fields before July 1, 2012 shall be authorized as a permitted use of community preservation funding.

SECTION 15. Section 14 shall take effect upon passage.”

The further amendment was adopted.

The amendment, as amended, then also was adopted; and the substituted bill (House, No. 4370, amended) was ordered to a third reading.

Labor and
Workforce
Development,—
study.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, Nos. 531, 533, 536, 539, 545, 547, 1395, 1399, 2301 and 2304, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents relative to labor and workforce development issues (House, No. 4391).

Mental Health
and Substance
Abuse,—
study.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on House, Nos. 552, 553, 1419, 2314 and 2877, an Order relative to authorizing the committee on Mental Health and Substance Abuse to make an investigation and study of certain House documents relative to mental health and substance abuse issues (House, No. 4392).

Tourism, Arts
and Cultural
Development,—
study.

By Ms. Peake of Provincetown, for the committee on Tourism, Arts and Cultural Development, on House, Nos. 892, 1781 and 3067, an Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of certain House documents concerning cultural funding (House, No. 4393).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Binienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Sheriffs,—
civil
process.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 2824, a Bill to reform sheriff civil process operations (House, No. 4382). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on House, No. 3739, a Bill to include substituted cathinones, also known as “bath salts,” in class C substances (House, No. 4383). Class C substances,— bath salts.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to administrative reorganization of the city of Malden (House, No. 4311) [Local Approval Received]. Malden,— reorganization.

By the same member, for the same committee, on a petition, a Bill amending the administrative organization of financial officers in the city of Malden (House, No. 4312) [Local Approval Received]. Id.

By the same member, for the same committee, on a petition, a Bill relative to authorizing the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits (House, No. 4315) [Local Approval Received]. Saugus,— audits.

By the same member, for the same committee, on a joint petition, a Bill for the Falmouth retirement system (House, No. 4317). Falmouth,— retirement.

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

Emergency Measure.

The engrossed Bill relative to the prescription drug diversion, abuse and addiction (see Senate, No. 2125, 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. Prescription drug abuse.

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.

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. Bill enacted.

Engrossed Bill.

The engrossed Bill relative to license plates in the Commonwealth (see Senate, No. 2387, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage. License plates.

Pending the question on passing the bill to be enacted, Mr. Straus of Mattapoisett moved that Rule 40 be suspended; and the motion prevailed. Rule 40 suspended.

The same member then moved to amend the bill (as amended by the House [see House document numbered 4369]) in section 2, in line 23, by inserting after the word “force” the words “shall work in consultation with officials from the United States Department of Justice, United States Immigration and Customs Enforcement, and United States Department of Homeland Security and”; in line 29, by inserting after the word “designee” the words “; the secretary of transportation or a designee” and in line 48, by inserting after the word “; accessibility.” the following sentence: “The study required by this section is to be peer reviewed by research institutions qualified in the subject area to verify research methodology and conclusions.”

The amendments were adopted; and the bill (Senate, No. 2387, amended) then was sent to the Senate for concurrence.

Reconsideration.

Recreation
vehicles.

Mr. Dempsey of Haverhill asked that the vote be reconsidered a second time by which the House ordered to a third reading the Senate Bill relative to the use of off-highway and recreation vehicles (Senate, No. 2381, amended), and the motion to reconsider was entertained forthwith; and it prevailed.

The same member then moved that the vote be reconsidered by which the House, on Monday last, adopted an amendment, recommended by the committee on Ways and Means, adding a section 4; and the motion to reconsider prevailed. The amendment then was rejected.

The bill (Senate, No. 2381) then was ordered to a third reading.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2126, 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.

Id.

The Senate Bill establishing the afterschool and out-of-school time coordinating council (Senate, No. 2111, 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At sixteen minutes after twelve o'clock noon, on motion of Mr. Frost of Auburn (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.

Monday, August 13, 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.

Resolutions.

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

Resolutions (filed by Ms. Benson of Lunenburg) congratulating Daniel F. Bourgeois on his retirement as Chief of the Lunenburg Police Department; and Daniel F. Bourgeois.

Resolutions (filed by Ms. Benson of Lunenburg) congratulating Scott F. Glenny on his retirement as Chief of the Lunenburg Fire Department; Scott F. Glenny.

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

Annual Report.

The annual report of the Department of Public Utilities (under Section 1G (g) of Chapter 164 of the General Laws) relative to degree of impact on the aggregate reduction of the electricity and impact on transition charges due to implementation or use of cogeneration systems, fuel cell and renewable energy technologies, was placed on file. Utilities department,—
cogeneration systems.

Papers from the Senate.

The House Bill authorizing the city of Newburyport to acquire interests in land in the town of Newbury (House, No. 4164), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 1, inserting after the following: "30B" the following: "but subject to paragraphs (a), (b) and (g) of section 16 of said chapter 30B". Newburyport,—
land.

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

Bills

Authorizing the town of Rockport to grant a license for the sale of wines and malt beverages at a food store (Senate, No. 2239) (on a petition) [Local Approval Received]; and Rockport,—
liquor license.

Wilmington,—
redevelopment
authority.

Dissolving the redevelopment authority in the town of Wilmington (Senate, No. 2289) (on a petition) [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.

New Bedford
and
Fall River,—
commuter
rail.

A report of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1762) of Mark C. Montigny for legislation to facilitate the completion of the New Bedford/Fall River commuter rail extension project,— and recommending the same be referred to the Senate committee on the Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the discharge of the committee.

Reports of Committees.

Kathryn
Woessner,—
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 Thomas A. Golden, Jr., for legislation to establish a sick leave bank for Kathryn Woessner, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (Senate, No. 361);

Authorizing flying the flag of the Commonwealth at half-staff upon the death of certain police officers and firefighters (Senate, No. 1573); and

Designating a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns Memorial Highway (Senate, No. 2292); and

House bills

Clarifying warehousing (House, No. 438);

Relative to oil spills on public ways (House, No. 487);

Further regulating the appointment of certain guardians (House, No. 1337);

Relative to the rescue of foals (House, No. 2827);

Relative to sons and daughters of corrections officers (House, No. 4182);

To exempt the position of deputy police chief of the town Westwood (House, No. 4233) [Local Approval Received];

Relative to authorizing the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits (House, No. 4315) [Local Approval Received];

For the Falmouth retirement system (House, No. 4317); and

Effingham
Capron
Park.

Flag flying,—
half staff.

Hinsdale,—
Johns
Highway.

Warehousing.
Oil spills.
Guardians.

Foals.
Corrections.

Westwood,—
police chief.

Saugus,—
audits.

Falmouth.

Authorizing the Cedar Meadow Lake Watershed District to prolong betterment payments (House, No. 4319);

Cedar
Meadow
Lake
Watershed
District.

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.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Louise Moson, an employee of the Massachusetts Department of Transportation (see House, No. 4280), 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.

Louise
Moson,—
sick leave
bank.

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 10 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Establishing the after school and out-of-school time coordinating council (see Senate, No. 2111, amended) (which originated in the Senate); and

Bills
enacted.

Relative to premature infant hospital discharge and quality improvement (see House, No. 3826, amended) (which originated in 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 engrossed Bill exempt the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from the civil service law and Section 11 of Chapter 142 of the General Laws (see House, No. 3848), which had been returned to the House by His Excellency the Governor with recommendation of amendments (for message, see House, No. 4566), was considered.

Newburyport,—
civil service
law.

The committee on Bills in the Third Reading reported recommending that the amendments recommended by the Governor be considered in the following form:

In section 1, in line 3 (as published), and also in the title by striking out the following: “and section 11 of chapter 142 of the General Laws”; and by striking out section 3”; and the report was accepted.

The amendments then were adopted. Sent to the Senate for its action.

Senate bills

Establishing a sewer construction fund for the town of Barnstable (Senate, No. 1065, amended) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Third
reading
bills.

Increasing the membership on the board of health in the city of Northampton (Senate, No. 2106, amended);

Establishing a sick leave bank for Julie Nantais, an employee of the Department of Public Health (Senate, No. 2266); and

Designating a portion of the Route 128 extension in the city of Gloucester as the Purple Heart highway (Senate, No. 2286, amended);

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

Third
reading
bills.

Designating a certain bridge on Route 6 in the city of New Bedford as the Roland J. Hebert Bridge (House, No. 3970, changed) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Hatfield to continue the employment of the chief of police (House, No. 4142);

Establishing a sick leave bank for Patricia Morin, an employee of the Executive Office of Health and Human Services (House, No. 4262) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Braintree to grant additional liquor licenses (House, No. 4292) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Fairhaven to grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4293) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to a liquor license for the Irish Social Club, Inc., in the city of Boston (House, No. 4294) (its title having been changed by the committee on Bills in the Third Reading);

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. 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 half past eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, August 16, 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.

Guest of the House.

During the session, the Chair (Mr. Donato) declared a brief recess and turned the gavel over to Mr. Wong of Saugus for the purpose of an introduction. Mr. Wong then introduced Sgt. David Gecoya of the Saugus Police Department. Mr. Wong then read and presented Sgt. Gecoya with a Citation of the House of Representatives commending him for his diligence in maintaining public safety and keeping the community safe. Sgt. David Gecoya.

Resolutions.

Resolutions (filed with the Clerk by Mr. Coppinger of Boston) congratulating Kenny Jameson on his retirement as Sergeant from the city of Boston Police Department, were referred, under Rule 85, to the committee on Rules. Kenny Jameson.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Story of Amherst, 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 Mr. Aguiar of Fall River, a petition (subject to Joint Rule 12) of Kevin Aguiar and Michael J. Rodrigues for legislation to establish a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance. Kathleen Rezendes,—sick leave.

By Mr. Jones of North Reading, a petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., for legislation to establish a sick leave bank for Kathleen Anno, an employee of the Department of Public Health. Kathleen Anno,—sick leave.

By Ms. Walz of Boston, a petition (subject to Joint Rule 12) of Martha M. Walz for legislation to establish a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services. Noelle Champoux-Olson,—sick leave.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The House Bill establishing a sick leave bank for Diane Johnson, an employee of the Department of Revenue (House, No. 4229), came from the Senate passed to be engrossed, in concurrence, with an Diane Johnson,—sick leave bank.

Diane Johnson,—
sick leave
bank.

amendment adding the following sentence: “Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”

Under suspension of Rule 35, on motion of Mr. Kocezera of New Bedford, 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.

Millbury,—
police
chief.

A Bill further regulating the position of police chief in the town of Millbury (Senate, No. 2316) (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.

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

Senate bills

Smoking.

To provide for tobacco cessation benefits (Senate, No. 2121, amended); and

Buildings.

Relative to manufactured buildings (Senate, No. 2401); and
House bills

Animals.

Requiring the posting of security for the seizure and impoundment of animals (House, No. 422);

Dogs.

Relative to at risk dogs (House, No. 562, changed);

Doctors, etc.,—
insurance.

Relating to the Medical Professional Mutual Insurance Company (House, No. 2765);

Derek Cook.

Relative to the retirement allowance of Derek Cook in the city of Springfield (House, No. 4114) [Local Approval Received];

Agawam.

Relative to civil service positions in the city of Agawam (House, No. 4189) [Local Approval Received];

Wilbraham.

Relative to the town of Wilbraham police department (House, No. 4212, changed) [Local Approval Received];

Ware,—
Adam A.
Sequin.

Authorizing Adam A. Sequin to take the civil service examination for appointment as a police officer in the town of Ware notwithstanding the maximum age requirement (House, No. 4283) [Local Approval Received];

Malden.

Relative to administrative reorganization of the city of Malden (House, No. 4311) [Local Approval Received]; and

Id.

Amending the administrative organization of financial officers in the city of Malden (House, No. 4312) [Local Approval Received];

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.

Fall River,—
fire chief
and
commissioners.

A report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on a petition (accompanied by bill, House, No. 4030) of David B. Sullivan, Michael J. Rodrigues and Paul A. Schmid, III (with the approval of the mayor and city council) relative to the chief of the fire department and the board of fire commissioners of the city of Fall River, was considered forthwith, under suspension of the rules, on motion of Mr. Sullivan of Fall River.

The same member then moved that the report be amended by substitution of the Bill relative to the appointment and status of the fire chief and the board of fire commissioners in the city of Fall River (House, No. 4030), which was read. The amendment was adopted.

Under suspension of the rules, on further motion of the same member, the bill was read a second and a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, asking to be discharged from further consideration of the House Bill establishing a board of registration of phlebotomists (House, No. 4377),— and recommending that the same be referred to the committee on Health Care Financing. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in so much as relates to the reference.

Phlebotomists.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to public health data sharing with the Boston Public Health commission (House, No. 4337) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Boston,—
public
health
data.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 48, 53, 67, 72, 73, 77, 79, 974, 978, 1864, 2674, 2686, 3263, 3264 and 3403 an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents concerning privacy rights, identity theft and personal information of consumers (House, No. 4395).

Children,
Families and
Persons with
Disabilities,—
study.

By the same member, for the same committee, on House, No. 71, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning family networks (House, No. 4396).

Id.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on House, Nos. 184, 186, 2728 and 3112, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain House documents concerning elder placement issues (House, No. 4397).

Elder
Affairs,—
study.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, Nos. 1410, 2291 and 2311, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning labor and workforce development issues (House, No. 4398).

Labor and
Workforce
Development,—
study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measures.

Julie
Nantais,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Julie Nantais, an employee of the Department of Public Health (see Senate, No. 2266), 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 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.

Diane
Johnson,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Diane Johnson, an employee of the Department of Revenue (see House, No. 4229, 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 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 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.

Establishing a sewer construction fund for the town of Barnstable (see Senate, No. 1065, amended);

Increasing the membership on the Board of Health in the city of Northampton (see Senate, No. 2106, amended);

Authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (see Senate, No. 2126, amended); and

Designating a portion of the Route 128 extension in the city of Gloucester as the Purple Heart Highway (see Senate, No. 2286, amended); (Which severally originated in the Senate); and

Relative to adding the town of Harvard to the Devens Economic Target Area (see House, No. 3717);

Restricting the ability of the water supply district of Acton to acquire ground water sources in the town of Boxborough (see House, No. 3820); and

Authorizing the city of Newburyport to acquire interests in land in the town of Newbury (see House, No. 4164, amended);

(Which severally originated in 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 Senate Bill modifying the Pittsfield Economic Development Authority (Senate, No. 2178), 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. Third reading bill.

House bills

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

Prohibiting the sale, installation and disposal of mercury thermostats (House, No. 4305, amended); and

Establishing a sick [sic] bank for Timothy J. O'Brien, an employee of the Executive Office of Health and Human Services (House, No. 4378) (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.

Recess.

At fourteen minutes before one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at half-past one o'clock the House was called to order with Mr. Kafka of Stoughton in the Chair. Recess.

Engrossed Bill.

The engrossed Bill modifying the Pittsfield Economic Development Authority (see Senate, No. 2178) (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. Bill enacted.

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 two o'clock P.M., on motion of Mrs. Poirier of North Attleborough (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, August 20, 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.

Message from the Governor.

Transportation
bonds,—
terms.

A message from His Excellency the Governor for legislation to provide the terms of bonds authorized by Chapter 242 of the Acts of 2012 (House, No. 4399), was filed in the office of the Clerk on Thursday, August 16, 2012.

The message was read; and it was referred, under Rule 17G, to the committee on Bonding, Capital Expenditures and State Assets. Sent to the Senate for concurrence.

Papers from the Senate.

Northampton,—
charter.

The House Bill reestablishing a charter for the city of Northampton (House, No. 4102), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, by said branch with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2416.

Under suspension of Rule 35, on motion of Mr. Kocot of Northampton, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Pending the question on concurring with the Senate in its amendment, Mr. O'Day of West Boylston moved that the House concur with the Senate amendment with a further amendment by striking out the title and inserting in place thereof the following title: "An Act revising the charter for the city of Northampton." 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.

Easthampton,—
liquor
license.

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 (Senate, No. 2294) (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.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Joint petition (accompanied by bill) of Kevin Aguiar and Michael J. Rodrigues for legislation to establish a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance. Kathleen Rezendes,—sick leave.

Petition (accompanied by bill) of Bradley H. Jones, Jr., for legislation to establish a sick leave bank for Kathleen Anno, an employee of the Department of Public Health. Kathleen Anno,—sick leave.

Petition (accompanied by bill) of Martha M. Walz for legislation to establish a sick leave bank for Noello Champoux-Olson, an employee of the Department of Youth Services. Noello Champoux-Olson,—sick leave.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Senate bills

Authorizing the town of Rockport to grant a license for the sale of wines and malt beverages at a food store (Senate, No. 2239) [Local Approval Received]; Rockport,—liquor license.

Further regulating the position of chief of police in the town of Millbury (Senate, No. 2316) [Local Approval Received]; Millbury,—police chief.

Increasing the number of dental hygienists on the Board of Registration in Dentistry (Senate, No. 2328); and Dental hygienists.

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402); and Victims,—housing rights.

House bills

Relative to parental rights and child survivors of homicide (House, No. 454); and Homicide,—child survivors.

Relative to the intimidation of a witness statute (House, No. 3977); Witnesses,—intimidation.

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. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 109, 114, 1011 and 2691, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning fairs, flea markets and pawn shops (House, No. 4400). Consumer Protection and Professional Licensure,—study.

By the same member, for the same committee, on House, Nos. 1019, 1020 and 1023, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain House documents concerning consumer protection (House, No. 4401). Id.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 222, 248, 250, 1131, 1143, 1154, 1171, 2748, 2755, 2756, 3117, 3118 and 3570, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning local issues (House, No. 4402). Environment, Natural Resources and Agriculture,—study.

Environment,
Natural
Resources
and
Agriculture,—
study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Orders of the Day.

House bills

Third
reading
bills.

Validating the actions taken at a certain election held in the town of Lincoln (printed in House, No. 4135);

Relative to the town of Marion open space acquisition commission (House, No. 4188) (its title having been changed by the committee on Bills in the Third Reading);

Relative to authorizing the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits (House, No. 4315); and

Relative to the charter of the town of Westborough (House, No. 4211) (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.

Northfield,—
recall
elections.

The Senate Bill providing for recall elections in the town of Northfield (Senate, No. 1959, 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. Mark of Peru moved to amend it in section 2, in lines 8 and 9, by striking out the following: "petition blanks demanding such recall containing space for the signatures of at least 5 times the number of signatures required below" and inserting in place thereof the words ", a sufficient number of copies of petition blanks requesting such recall".

The amendment was adopted; and the bill (Senate, No. 1959, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty-seven minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, August 23, 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.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Nicholas James Derain on receiving the Eagle Award of the Boy Scouts of America; Nicholas James Derain.

Resolutions (filed by Ms. Garlick of Needham) congratulating Connor John Gaffney on receiving the Eagle Award of the Boy Scouts of America; Connor John Gaffney.

Resolutions (filed by Ms. Garlick of Needham) congratulating Christian John Honan on receiving the Eagle Award of the Boy Scouts of America; and Christian John Honan.

Resolutions (filed by Ms. Garlick of Needham) congratulating Aaron Paul Thole on receiving the Eagle Award of the Boy Scouts of America; Aaron Paul Thole.

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 Mr. Smizik of Brookline, 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 Rogers of Norwood and Senator Timilty, a joint petition (subject to Joint Rule 12) of John H. Rogers for legislation to require automated external defibrillators in assisted living residences. Assisted living,—defibrillators.

By Representative Vieira of Falmouth and Senator Wolf, a joint petition (subject to Joint Rule 12) of David T. Vieira and Daniel A. Wolf relative to the elected officials of the Cotuit Fire District. Cotuit Fire District.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A petition (accompanied by bill) of Therese Murray and Thomas J. Calter for legislation to establish a sick leave bank for Ellen Grady, an employee of the Department of Public Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Public Service. Ellen Grady,—sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2418) was referred, in concurrence, to the committee on the Public Service.

Reports of Committees.

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

Easthampton,— liquor license. The Senate Bill authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2294); and

House bills

Farm animals. To prevent farm animal cruelty (House, No. 458);

Children,— placement. Relative to advertising for the placement of children under 16 years of age (House, No. 1328); and

Trade secrets. Making uniform the law regarding trade secrets (House, No. 2846);

Under suspension of Rule 7A, 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.

Municipal records,— preservation. By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill to establish a municipal record preservation commission (House, No. 4053), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Plymouth county,— government. By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill establishing the Plymouth county government (House, No. 4318). Read; and referred, under Rule 29, to the committees on Rules of the two branches, acting concurrently.

Transportation bonds,— terms. By Mr. Cabral of New Bedford, for the committee on Bonding, Capital Expenditure and State Assets, on a message from His Excellency the Governor, a Bill providing the terms of bonds authorized by Chapter 242 of the Acts of 2012 (printed in House, No. 4399). Read; and referred, under Rule 33, to the committee on Way and Means.

Kingston,— sewer system. By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a joint petition, a Bill regulating the grant of sewer system connections by the Board of Sewer Commissioners of the town of Kingston (House, No. 4310) [Local Approval Received].

Oxford,— charter. By the same member, for the same committee, on a joint petition, a Bill amending the town charter of Oxford (House, No. 4313) [Local Approval Received].

North Andover,— charter. By the same member, for the same committee, on a petition, a Bill amending the charter of the town of North Andover (House, No. 4314) [Local Approval Received].

Agawam,— charter. By the same member, for the same committee, on a joint petition, a Bill relative to the leadership and governance of the city known as the town of Agawam (House, No. 4388) [Local Approval Received].

Avon,— treasurer-collector. By the same member, for the same committee, on a petition, a Bill relative to the position of appointed treasurer-collector in the town of Avon (House, No. 4389) [Local Approval Received].

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting the positions of laborer, skilled laborer, mechanic and craftsman in the town of North Andover from the civil service law (House, No. 4316) [Local Approval Received].

North
Andover,—
civil
service.

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

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 118, 126, 127, 2705 and 3536, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning internet issues (House, No. 4403).

Consumer
Protection and
Professional
Licensure,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, No. 192 and House, Nos. 156, 1054, 1057, 1077, 1079, 1088, 1917, 2718, 2719 and 3539, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning commercialism, truancy and other school issues (House, No. 4404).

Education,—
study.

By the same member, for the same committee, on House, Nos. 1070, 1127, 1911, 1914 and 2715, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House documents concerning civil rights (House, No. 4405).

Id.

By the same member, for the same committee, on House, Nos. 1089 and 1927, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House documents concerning school personnel (House, No. 4406).

Id.

By Mr. Honan of Boston, for the committee on Housing, on Senate, Nos. 593 and 627 and House, No. 2790, an Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning cooperative housing (House, No. 4407).

Housing,—
study.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, Nos. 534, 535, 544, 546, 1396, 1411, 1414, 2286, 2288, 2289, 2290, 2292, 2297, 2299, 2300, 2303, 2868, 2869 and 3160, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning labor and workforce development issues (House, No. 4408).

Labor and
Workforce
Development,—
study.

By the same member, for the same committee, on House, Nos. 1400, 1404, 1407, 2295, 2302, 2312, 2313, 2870, 2871, 2873, 3231 and 3233, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of a certain House documents concerning labor and workforce development issues (House, No. 4409).

Id.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules. Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measures.

Timothy J. O'Brien,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Timothy J. O'Brien, an employee of the Executive Office of Health and Human Services (see House, No. 4378), 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 Bill.

Bill
enacted.

The engrossed Bill relative to the regulation of plant nutrients (see House, No. 4306, amended) (which originated in the House), 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.

Senate bills

Third
reading
bills.

Designating certain bridges under the control of the Massachusetts Department of Transportation in the town of Raynham and the city of Taunton (Senate, No. 2337); and

Establishing a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services (Senate, No. 2339);

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

Third
reading
bills.

Establishing a sick leave bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation (House, No. 4184) (its title having been changed by the committee on Bills in the Third Reading);

Exempting the position of Deputy Police Chief of the town of Westwood from the civil service laws (House, No. 4233) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to administrative reorganization of the city of Malden (House, No. 4311);

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. 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.

THURSDAY, AUGUST 23, 2012.

1715

At two minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, August 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.

Ethel May
McDonald.

Resolutions (filed with the Clerk by Ms. Peisch of Wellesley) honoring Ethel May McDonald on her one hundredth birthday, 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 Mr. Koczera of New Bedford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted

Petition.

Stoughton,—
deputy
police chief.

Mr. Kafka of Stoughton presented a petition (accompanied by bill, House, No. 4417) of Louis L. Kafka, William C. Galvin and Brian A. Joyce (by vote of the town) that the town of Stoughton be authorized to establish the position of deputy police chief and exempt said position from the provisions of civil service law; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

Bills

Westfield,—
charter.

A Bill relative to the charter of the city of Westfield (Senate, No. 2288, amended in section 1, in line 44, by inserting after the word "November" the words "in every odd-numbered year", in lines 196 and 197, by striking out the words ", and the General Laws relative to city elections shall apply thereto, except as is otherwise specifically provided in this section", by inserting after said line 197 the following paragraph:

"All General Laws regarding city elections shall apply, except as is provided by this charter or by special act of the general court.", in line 595, by striking out the figures "30" and inserting in place thereof the figures "35", and, in line 637, by inserting after the word "measure" (the first time it appears) the words ", including a fair and concise summary of each question, which shall be prepared by the city solicitor or counsel for the city") (on a petition) [Local Approval Received].

Billerica,—
Knight Bridge.

Designating a certain bridge in the town of Billerica as the Helen Knight Bridge (Senate, No. 2305) (on a petition); and

June
Graham,—
sick leave
bank.

Establishing a sick leave bank for June Graham, an employee of the Department of Public Health (Senate, No. 2417) (on Senate bill No. 2357);

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.

A petition (accompanied by bill) of Stephen M. Brewer, Anne M. Gobi and Todd M. Smola for legislation to authorize the Division of Capital Asset Management and Maintenance to grant an easement upon land of the Commonwealth located in the town of Ware to the Massachusetts Water Resources Authority, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight. Ware,—
easement.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2419) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

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

Senate bills

Relative to coverage under the Massachusetts Property Insurance Underwriting Association (Senate, No. 449); Property insurance.

To promote environmentally sound transportation of agricultural products (Senate, No. 2118); Agricultural products.

Dissolving the redevelopment authority in the town of Wilmington (Senate, No. 2289) [Local Approval Received]; and Wilmington.

Relative to trench safety (Senate, No. 2378, amended); and Trench safety.

House bills

Relative to the concealment of the death of children and the penalties for the sale or purchase of minor children (House, No. 1308); and Children,—
protect.

Relative to the position of appointed treasurer-collector in the town of Avon (House, No. 4389) [Local Approval Received]; Avon,—
treasurer-
collector.

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 Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, No. 3973, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning women in the criminal justice system (House, No. 4411). Children,
Families and
Persons with
Disabilities,—
study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 93, 94, 95, 96, 97, 999, 1000 and 1001, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning cosmetology (House, No. 4412). Consumer
Protection
and
Professional
Licensure,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 153, an Order relative to authorizing the committee on Education to make an investigation and study of a certain House Education,—
study.

document concerning school financing (House, No. 4413) [Senators Chang-Diaz, Jehlen, Clark and DiDomenico dissenting].

Environment,
Natural
Resources
and
Agriculture,—
study.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4018, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain House document concerning the Department of Environment Protection administration (House, No. 4414).

Revenue,—
study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 768 and 2939, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning the raising of revenue for the Commonwealth by means of taxation, certain matters relating to the local property tax and such similar matters as have been referred to said committee (House, No. 4415).

Id.

By the same member, for the same committee, on House, Nos. 3842 and 3957, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning the raising of revenue for the Commonwealth by means of taxation, certain matters relating to the local property tax and such similar matters as have been referred to said committee (House, No. 4416).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Bienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measures.

Raynham
and
Taunton,—
bridges.

The engrossed Bill designating certain bridges under the control of the Massachusetts Department of Transportation in the town of Raynham and the city of Taunton (see Senate, No. 2337), 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 3 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.

Laurie
Bourassa,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Laurie Bourassa, an employee of the Department of Developmental Services (see Senate, No. 2339), 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 4 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

Engrossed Bill.

The engrossed Bill authorizing the town of Hopedale to allow direct deposit of receipts into certain funds (see House, No. 3937) (which originated in the House), 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. Bill enacted.

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 twenty-three minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, August 30, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her 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:

Paul
Frazier.

Resolutions (filed by Mr. Cusack of Braintree) congratulating Paul Frazier on the occasion of his retirement from the Braintree Police Department;

Wildlife and
sport fishing.

Resolutions (filed by Mr. Kulik of Worthington) commemorating the seventy-fifth anniversary of wildlife and sport fish restoration programs; and

Wellesley,—
green
power.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating the town of Wellesley on the occasion of its designation as a United States Environmental Protection Agency Green Power Community;

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

Papers from the Senate.

Male Breast
Cancer
Awareness
Week.

The House Bill designating Male Breast Cancer Awareness Week (House, No. 4019), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which to establish forthwith Male Breast Cancer Awareness Week, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, 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.

Northampton,—
charter.

The House Bill reestablishing a charter for the city of Northampton (House, No. 4102), came from the Senate with the endorsement that said branch had concurred with the House in its further amendment (striking out the title and inserting in place thereof the following title: “An Act revising the charter for the city of Northampton.”) with a still

further amendment in line 529 (contained in Senate document numbered 2416), inserting after the word "position." the following article:

"ARTICLE 6A.
BOARD OF HEALTH.

There shall be established in the city of Northampton a board of health consisting of 5 members, each of whom shall serve a term of 3 years and be appointed by the mayor, subject to the approval of the city council. The members of the board of health shall be legal voters in the city and at least 1 of whom shall be a physician. The members of the board shall serve without compensation."

Under suspension of Rule 35, on motion of Mr. Kocot of Northampton, the still further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Pending the question on concurring with the Senate in its still further amendment, the same member moved to amend it in section 1, in lines 676, 677 and 678, by striking out the sentence contained in those lines and inserting in place thereof the following two sentences: "In the event that there is no preliminary election in advance of the regular city election, the drawing shall be conducted on the fourth Tuesday in September prior to the regular city election. In the event that there is no preliminary election in advance of a special city election, the drawing shall be conducted on the sixth Tuesday preceding the special city election." The still further amendment was adopted.

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

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for June Graham, an employee of the Department of Public Health (Senate, No. 2417), be scheduled for consideration by the House.

June
Graham,—
sick leave
bank.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill providing the terms of bonds authorized by Chapter 242 of the Acts of 2012 (printed in House, No. 4399), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation
bonds,—
terms.

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

Under suspension of 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.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill relative to the May 12, 2012 annual town meeting and the May 11, 2012 annual town election in the town of Heath (printed in House, No. 4353). Read; and

Heath,—
elections.

Heath,—
elections.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Community
Development
and Small
Businesses,—
study.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on Senate, Nos. 74, 78, 80, 1840, 1846 and 1847 and House, Nos. 85, 994, 997, 998, 1866, 1869, 1870, 2687 and 3513, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of certain Senate and House documents concerning the community development and small business issues (House, No. 4418).

Financial
Services,—
study.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, Nos. 405, 406, 426, 429 and 1855 and House, Nos. 274, 320, 324, 325, 2048 and 2064, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning health insurance mandates (House, No. 4419).

Id.

By the same member, for the same committee, on Senate, Nos. 414, 463 and 465 and House, Nos. 331, 1175, 1180 and 3939, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning miscellaneous insurance and banking issues (House, No. 4420).

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Plymouth
county,—
government.

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, that the Bill establishing the Plymouth County Government (House, No. 4318), ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bill.

Bill
enacted.

The engrossed Bill designating a certain section of state highway Route 53 in the city known as the town of Weymouth as the Stephen T. O'Donnell Memorial Highway (see House, No. 3421) (which originated in the House), 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.

Senate bills

Third
reading
bills.

Authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2294); and

Further regulating the position of chief of police in the town of Millbury (Senate, No. 2316);

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 town of Danvers to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4168) (its title having been changed by committee on Bills in the Third Reading); Third reading bills.

Amending the administrative organization of financial officers in the city of Malden (House, No. 4312); and

Relative to the position of appointed treasurer-collector in the town of Avon (House, No. 4389);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, September 4, 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.

Communication.

Capital
Resource
Company.

A communication from the Massachusetts Capital Resource Company (see Section 12 of Chapter 816 of the Acts of 1977) submitting an annual report describing the formation and current status of said company, was placed on file.

Resolutions.

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

Pittsfield
Youth
Summit.

Resolutions (filed by Representatives Farley-Bouvier of Pittsfield, Pignatelli of Lenox and Mark of Peru) congratulating the Coalition for Greater Community Collaboration on the occasion of the first Pittsfield Youth Summit;

Stephen
Holtsnider.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Stephen Edward Holtsnider on earning the Eagle Scout Award; and

Jay
Critchley.

Resolutions (filed by Ms. Peake of Provincetown) honoring Jay Critchley on the occasion of the twenty-fifth anniversary of the Provincetown Swim for Life and Paddler Flotilla;

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

Papers from the Senate.

Fall River,—
fire chief
and fire
commissioners.

The House Bill relative to the appointment and status of the fire chief and the board of fire commissioners in the city of Fall River (House, No. 4030), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 5 and inserting in place thereof the following two sections:

“SECTION 5. Chapter 189 of the acts of 2008 is hereby repealed.

SECTION 6. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Sullivan of Fall River, 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.

The House Bill exempting the town of Southbridge from attorney general approval of by-laws (House, No. 4039), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 9, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 12, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
by-laws.

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to non-councilors on committees in the town of Southbridge (House, No. 4040), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 10, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 13, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
committees.

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to the removal of the vice-chairperson of the council of the town of Southbridge (House, No. 4041), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 9, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 12, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
council vice-
chairperson.

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to the prohibition on multiple appointments to quasi-judicial boards in the town of Southbridge (House, No. 4042), came from the Senate passed to be engrossed, in concurrence, with

Southbridge,—
quasi-judicial
boards.

Southbridge,—
quasi-judicial
boards.

amendments in section 2, in line 6, inserting after the word “Laws” the words “or any other general or special law or town by-law to the contrary,” and in line 9, striking out the word “council” and inserting in place thereof the word “counsel”; and striking out section 3 and inserting in place thereof the following two sections:

“SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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.

Southbridge,—
board of
health.

The House Bill relative to the addition of members to the board of health in the town of Southbridge (House, No. 4043), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 5, inserting after the word “Laws” the words “or any other general or special law or town by-law to the contrary,” and in line 8, striking out the word “council” and inserting in place thereof the word “counsel”; and striking out section 3 and inserting in place thereof the following two sections:

“SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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.

Southbridge,—
liquor
licensing
board.

The House Bill relative to the appointment of the liquor licensing board in the town of Southbridge (House, No. 4044), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 6, inserting after the word “Laws” the words “or any other general or special law or town by-law to the contrary,” and in line 9, striking out the word “council” and inserting in place thereof the word “counsel”; and striking out section 3 and inserting in place thereof the following two sections:

“SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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.

Southbridge,—
quasi-judicial
bodies.

The House Bill relative to the rescission of appointments to quasi-judicial bodies in the town of Southbridge (House, No. 4045), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 4, inserting after the word “Laws” the words “or any other general or special law or town by-law to the contrary,” and in line 7, striking out the word “council” and inserting in place

thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to the removal of the manager of the town of Southbridge (House, No. 4046), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 7, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 10, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
town
manager.

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to the prohibition on commercial manufacturing or sale of alcohol by the members of the liquor licensing board of the town of Southbridge (House, No. 4047), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 9, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 12, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
liquor
licensing
board.

"SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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 relative to the recall of elective officers in the town of Southbridge (House, No. 4048), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in line 5, inserting after the word "Laws" the words "or any other general or special law or town by-law to the contrary," and in line 8, striking out the word "council" and inserting in place thereof the word "counsel"; and striking out section 3 and inserting in place thereof the following two sections:

Southbridge,—
recall of
officers.

Southbridge,—
recall of
officers.

“SECTION 3. The regular or special town election in section 2 may be held concurrent with the November 2012 state election.

SECTION 4. This act shall take effect upon its passage.”.

Under suspension of Rule 35, on motion of Mr. Durant of Spencer, 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.

Seekonk,—
liquor
licenses.

A Bill authorizing the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2353) (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.

Petitions were referred, in concurrence, as follows:

Greenfield,—
charter.

Petition (accompanied by bill, Senate, No. 2421) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) to make technical corrections to the charter of the town of Greenfield;

Id.

Petition (accompanied by bill, Senate, No. 2422) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) making a certain technical corrections to the charter of the town of Greenfield;

Id.

Petition (accompanied by bill, Senate, No. 2423) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) to clarify the title of a certain section of the charter of the town of Greenfield;

Greenfield,—
school
committee
chairs.

Petition (accompanied by bill, Senate, No. 2424) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) to clarify language for the selection of school committee chairs and vice-chairs in the town of Greenfield;

Greenfield,—
by-laws.

Petition (accompanied by bill, Senate, No. 2425) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) relative to by-laws in the town of Greenfield;

Greenfield,—
budget
review.

Petition (accompanied by bill, Senate, No. 2426) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) relative to budget review process in the town of Greenfield;

Greenfield,—
council.

Petition (accompanied by bill, Senate, No. 2427) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) to amend employment prohibitions for town council members in the town of Greenfield;

Greenfield,—
school
committee.

Petition (accompanied by bill, Senate, No. 2428) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) to amend employment prohibitions for school committee members in the town of Greenfield;

Greenfield,—
inter-
transfers.

Petition (accompanied by bill, Senate, No. 2429) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) relative to inter-departmental transfers in the town of Greenfield;

Greenfield,—
domestic
violence
task force.

Petition (accompanied by bill, Senate, No. 2430) of Stanley C. Rosenberg and Denise Andrews (by vote of the town) creating a domestic violence task force in the town of Greenfield;

Severally to the committee on Municipalities and Regional Government.

The following notice was received from the Clerk of the Senate, to wit:—

August 31, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced the following appointments: Independent contractors.

Senators McGee (Co-Chairman), and Rodrigues to the Special Commission established (pursuant to Chapter 238 of the Acts of 2012) to make an investigation and study of the definition of independent contractors;

Senator Keenan (pursuant to Section 186 of Chapter 139 of the Acts of 2012) as Chairman of DMH Independent Advisory Committee for the purpose of arranging and evaluating an independent analysis of the public and private behavioral health services available to the residents of the Commonwealth; and Behavioral health services.

Senators Jehlen and Keenan to the Special Commission established (pursuant to Section 224 of the Acts of 2012) to make an investigation and study of the cost of prescription drugs for both public and private payers. Prescription drug costs.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 joint petition of David T. Vieira and Daniel A. Wolf relative to the elected officials of the Cotuit Fire District. Under suspension of the rules, on motion of Mr. deMacedo of Plymouth, 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. Cotuit Fire District,—elected officials.

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

The Senate Bill relative to the charter of the city of Westfield (Senate, No. 2288, amended); and Westfield,—charter.

House bills

Regulating the grant of sewer system connections by the Board of Sewer Commissioners of the town of Kingston (House, No. 4310) [Local Approval Received]; Kingston,—sewer system.

Amending the town charter of Oxford (House, No. 4313) [Local Approval Received]; and Oxford,—charter.

To include substituted cathinones, also known as “bath salts”, in class C substances (House, No. 4383); Bath salts,—classify.

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.

Consumer Protection and Professional Licensure,—study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 92, 101, 104, 108, 112, 115, 1008, 1875, 1898 and 3225, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain Senate and House documents concerning automobile issues (House, No. 4423).

Id.

By the same member, for the same committee, on House, Nos. 125, 1007, 1025, 1876 and 2689, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain Senate and House documents concerning consumer protection and professional licensure issues (House, No. 4424).

Economic Development and Emerging Technologies,—study.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on Senate, Nos. 149, 151, 152, 153, 154, 158, 159, 160, 162, 163, 164, 165, 167, 171, 172, 174 and 1852 and House, Nos. 131, 132, 1038, 1903, 2707 and 3406, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain Senate and House documents concerning economic development and other matters (House, No. 4421).

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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Kathleen Rezendes,—sick leave bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance (House, No. 4410). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Male Breast Cancer Awareness Week.

The engrossed Bill designating Male Breast Cancer Awareness Week (see House, No. 4019, 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 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 Bills.

Engrossed bills

Authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2294); and Bills enacted.

Further regulating the position of chief of police in the town of Millbury (see Senate, No. 2316);

(Which severally originated in the Senate); and

Revising the charter for the city of Northampton (see House, No. 4102, amended); and

Authorizing the city of Boston to grant a club license for the sale of all alcoholic beverages to be drunk on the premises to the Irish Social Club Inc. of Boston (see House, No. 4294);

(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 Senate Bill establishing a sick leave bank for June Graham, an employee of the Department of Public Health (Senate, No. 2417), 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. Third reading bill.

House bills

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4213); Third reading bills.

Exempting certain positions in the city of Gardner from the provisions of civil service laws (House, No. 4214); and

Authorizing the Cedar Meadow Lake Watershed District to prolong betterment payments (House, No. 4319);

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. 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 twenty-seven minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

Thursday, September 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).

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.

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

Erick
Benoit.

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

Harrison
Krantz.

Resolutions (filed by Ms. Hogan of Stow) congratulating Harrison Krantz on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Taunton,—
POW/MIA
vigil.

Resolutions (filed by Representatives O'Connell of Taunton, Haddad of Somerset and Orrall of Lakeville) honoring the Taunton Area Vietnam Veterans Association on its thirtieth annual POW/MIA vigil;

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

Communication.

Life Sciences
Center,—
extension
report.

A communication from the Life Sciences Center (under Section 5(e)(2) of Chapter 23I of the General Laws) submitting an extension report detailing the decision of said center to extend certified status to certain life sciences companies as permitted under statutory authority [copies forwarded to the House committee on Ways and Means and the joint committee on Economic Development and Emerging Technologies, in accordance with said law], was placed on file.

Annual Report.

Clean Energy
Technology
Center,—
financial
report.

A report from the Massachusetts Clean Energy Technology Center (under Section 5 of Chapter 23J of the General Laws) relative to the assets, liabilities, revenues and expenditures of said agency for fiscal year 2012 [copies forwarded to the House committee on Ways and Means, the committee on Economic Development and Emerging Technologies, the committee on Telecommunications, Utilities and Energy, the committee on Environment, Natural Resources and Agriculture, in accordance with said law], was placed on file.

Petition.

Mr. Binienda of Worcester presented a petition (subject Joint Rule 12) of John J. Binienda (with the approval of the city council) relative to the forfeiture of property for crimes committed in the city of Worcester; and the same was referred, under Rule 24, to the committee on Rules.

Worcester,—
property
forfeiture.

Paper from the Senate.

A Bill establishing a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 2431) (on Senate bill, No. 2188), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emmy
Diaz,—
sick leave
bank.

Reports of Committees.

A report of the committee on Municipalities and Regional Government, ought NOT to pass (under Joint Rule 10), on the message from His Excellency the Governor recommending legislation relative to validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (House, No. 4354). Under suspension of the rules, on a motion of Ms. Spiliotis of Peabody, the report was considered forthwith. Pending the question on acceptance of the report, the subject-matter was recommitted, on motion of the same member.

Westminster,—
town
meeting.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kathleen Anno, employee of the Department of Public Health (House, No. 4422). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kathleen
Anno,—
sick leave.

By Mr. Spiliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 128, 129, 1022, 1034, 1885, 1888, and 2706, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning credit card and banking issues (House, No. 4425).

Consumer
Protection and
Professional
Licensure,—
study.

By the same member, for the same committee, on House, Nos. 1033, 1884, 1886, 1887, 1892, 2702, 2703, and 3107, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning gaming and lottery issues (House, No. 4426).

Id.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 184, 211, 250, 254, 255 and 259 and House, Nos. 155, 179, 1056, 1060 and 1934, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning health education issues (House, No. 4427).

Education,—
study.

By the same member, for the same committee, on Senate, Nos. 202 and 229 and House, Nos. 157, 1051, 1072, 1084, 1913, 2714 and 3590, an Order relative to authorizing the committee on Education to make

Id.

Education,—
study.

an investigation and study of certain Senate and House documents concerning transportation issues (House, No. 4428).

Severally 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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measure.

June
Graham,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for June Graham, an employee of the Department of Public Health (see Senate, No. 2417), 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 2 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.

Lincoln,—
election.

The engrossed Bill validating the actions taken at a certain election held in the town of Lincoln (see House bill printed in House, No. 4135) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills

Designating a certain bridge on Route 6 in the city of New Bedford as the Roland J. Hebert Bridge (see House, No. 3970, changed);

Relative to the appointment and status of the fire chief and the Board of Fire Commissioners in the city of Fall River (see House, No. 4030, amended);

Exempting the town of Southbridge from Attorney General approval of by-laws (see House, No. 4039, amended);

Relative to non-councilors on committees in the town of Southbridge (see House, No. 4040, amended);

Relative to the removal of the vice-chairperson of the council of the town of Southbridge (see House, No. 4041, amended);

Relative to the prohibition on multiple appointments to quasi-judicial boards in the town of Southbridge (see House, No. 4042, amended);

Relative to the addition of members to the board of health in the town of Southbridge (see House, No. 4043, amended);

Relative to the appointment of the liquor licensing board in the town of Southbridge (see House, No. 4044, amended);

Relative to the rescission of appointments to quasi-judicial bodies in the town of Southbridge (see House, No. 4045, amended);

Relative to the removal of the manager of the town of Southbridge (see House, No. 4046, amended);

Relative to the prohibition on commercial manufacturing or sale of alcohol by the members of the liquor licensing board of the town of Southbridge (see House, No. 4047, amended); and

Relative to the recall of elected officers in the town of Southbridge (see House, No. 4048, 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.

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 nineteen minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Monday, September 10, 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.

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

Nancy
Panaro.

Resolutions (filed by Mr. Cusack of Braintree) congratulating Nancy Panaro on the occasion of her retirement;

Donald
Courtney.

Resolutions (filed by Messrs. Fresolo of Worcester, Binienda of Worcester, Mahoney of Worcester and O'Day of West Boylston) congratulating Lieutenant Donald Courtney on the occasion of his retirement from the Worcester Fire Department; and

Needham,—
Beth Israel
Deaconess
Hospital.

Resolutions (filed by Ms. Garlick of Needham) congratulating Beth Israel Deaconess Hospital-Needham on its one hundredth 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 Mr. O'Day of West Boylston, 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:

Fall River,—
contracts.

By Representative Aguiar of Fall River and Senator Rodrigues, a joint petition (accompanied by bill, House, No. 4430) of Kevin Aguiar and Michael J. Rodrigues (with the approval of the mayor and city council) relative to authorizing the city of Fall River to enter into certain contracts for the operation, maintenance and modification of the wastewater treatment plant, sewers, pump stations, collection system and appurtenances in said city.

Id.

By Representative Aguiar of Fall River and Senator Rodrigues, a joint petition (accompanied by bill, House, No. 4431) of Kevin Aguiar and Michael J. Rodrigues (with the approval of the mayor and city council) that the city of Fall River be authorized to enter into a contract or contracts for the acquisition, purchase, lease, sale, disposition or exchange of certain parcels of real property in regards to a water storage facility at Airport Road in said city.

Severally to the committee on Municipalities and Regional Government.
Severally sent to the Senate for concurrence.

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2432) of Stanley C. Rosenberg (by vote of the town) for legislation to provide for local state of emergency declarations in the town of Greenfield; and Greenfield,—
charter.

Petition (accompanied by bill, Senate, No. 2433) of Marc R. Pacheco (by vote of the town) for legislation to authorize the rent board of the town of Middleborough to impose fees for the employment of outside consultants; Middlebor-
ough,—
consultants.

Severally to the committee on Municipalities and Regional Government.

Reports of Committees.

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

Senate bills

Authorizing the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2353, amended) [Local Approval Received]; and Seekonk,—
liquor
licenses.

Establishing a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 2431); and Emmy
Diaz,—
sick leave.

House bills

Relative to the leadership and governance of the city known as the town of Agawam (House, No. 4388) [Local Approval Received]; Agawam,—
terms of office.

Establishing a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance (House, No. 4410); and Kathleen
Rezendes,—
sick leave.

Establishing a sick leave bank for Kathleen Anno, an employee of the Department of Public Health (House, No. 4422); Kathleen
Anno,—
sick leave.

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. Kaufman of Lexington, for the committee on Revenue, on a joint petition, a Bill designating certain tax revenue in the town of Wareham (House, No. 4390) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Wareham,—
tax
revenue.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 175, 191, 206, 223, 227, 230, 241, 247 and 253 and House, Nos. 134, 141, 144, 149, 175, 1041, 1061, 1069, 1073, 1081, 1094, 1955, 1958, 2726 and 3349, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning education finance issues (House, No. 4432). Education,—
study.

By the same member, for the same committee, on Senate, Nos. 189, 221, 224, 248, 249 and 260 and House, Nos. 133, 146, 152, 161, 1052, 1821, 1908, 1931, 1952, 3537 and 3538, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning school finance issues (House, No. 4433) [Senator Clark dissenting]. Id.

Education,—
study.

By the same member, for the same committee, on Senate, Nos. 194, 195, 196, 199, 228, 233, 237 and 256 and House, Nos. 145, 151, 1087, 1916, 1942, 1943, 1947, 1953, 1956 and 1957, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning special education issues (House, No. 4434).

Higher
Education,—
study.

By Mr. Sannicandro of Ashland, for the committee on Higher Education, on House, Nos. 349, 350, 351, 352, 353, 355, 356, 357, 1242, 1243, 1244, 1246, 2102, 2103, 2106, 2107, 2108 and 2109, an Order relative to authorizing the committee on Higher Education to make an investigation and study of certain House documents concerning higher education issues (House, No. 4435).

Severally 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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports were considered forthwith; and they were accepted.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Exempting certain positions in the city of Gardner from the civil service laws (see House, No. 4213); and

Exempting certain positions in the city of Gardner from the civil service laws (see House, No. 4214);

(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.

Motion to Discharge the Committee on Bills in the Third Reading.

State flag,—
half-staff
flying.

Mr. Winslow of Norfolk then moved that the committee on Bills in the Third Reading be discharged from further consideration of the Senate Bill authorizing flying the flag of the Commonwealth at half-staff upon the death of certain police officers and firefighters (Senate, No. 1573); and the motion to discharge was negatived.

Orders of the Day.

House bills

Third
reading
bills.

Exempting the position of deputy police chief in the town of Duxbury from the civil service law (House, No. 4026); and

Promoting municipal collaboration and regionalization throughout the Commonwealth (House, No. 4370) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to correctly drawn, were read a third time; and they were 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 after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.

Thursday, September 13, 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.

Silent Prayer.

Glen
Doherty.

During the session the Chair (Mr. Donato) declared a brief recess; and requested that the members, guests and employees stand in a moment of silent tribute in respect to the memory of former Navy SEAL, Glen Doherty of Winchester, who was working for a private security company when he was killed along with U.S. Ambassador John Christopher Stevens in the American consulate in Benghazi, Libya, Wednesday during what may have been a coordinated terrorist attack.

Private
First Class
Michael R.
DeMarsico.

At the request of Ms. Cariddi of North Adams, the members, guests and employees stood in a moment of silent prayer in honor of and in respect to the memory of U.S. Army Private First Class Michael R. DeMarsico of North Adams, who was killed in the line of duty on Thursday, August 16, 2012 in Panjwa'l, Afghanistan while serving our country. Michael leaves behind his mother, father, three sisters, a brother, and his grandparents.

Resolutions.

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

Nicholas
Baker.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Nicholas Baker on receiving the Eagle Award of the Boy Scouts of America;

Adam
Cox.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Adam Cox on receiving the Eagle Award of the Boy Scouts of America;

Holliston,—
Legion
Post 47.

Resolutions (filed by Ms. Dykema of Holliston) congratulating the American Legion Post 47 in the town of Holliston on their observance of the ninety-third anniversary of the founding of the American Legion;

Eagle Scout
rank.

Resolutions (filed by Mr. Fernandes of Milford and other members of the House) congratulating the Boy Scouts of America on the one hundredth anniversary of the Eagle Scout rank;

Ataxia Day,—
observance.

Resolutions (filed by Mr. Frost of Auburn) congratulating the National Ataxia Foundation on their observance of National Ataxia Awareness Day on September 25, 2012;

Petrona
Guilmet.

Resolutions (filed by Mr. Keenan of Salem) congratulating Essex Probate and Family Court employee Petrona Guilmet on the occasion of her retirement;

Resolutions (filed by Ms. Peisch of Wellesley) honoring Ashley Elizabeth Rohall on receiving the Gold Award from the Girl Scouts of America; Ashley Rohall.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Farah Vimadalal on receiving the Gold Award from the Girl Scouts of America; Farah Vimadalal.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Daniel Boudreau on receiving the Eagle Award of the Boy Scouts of America; Daniel Boudreau.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating William Chadwick on receiving the Eagle Award of the Boy Scouts of America; and William Chadwick.

Resolutions (filed by Mr. Winslow of Norfolk) congratulating Andrew Iacoviello on receiving the Eagle Award of the Boy Scouts of America; Andrew Iacoviello.

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 Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the University of Massachusetts (see Section 15 of Chapter 75 of the General Laws) submitting its fiscal year 2012 report on annual indicators, was placed on file. UMass,—
indicators report.

Petitions.

Petitions severally were presented and referred as follows:

By Messrs. Speliotis of Danvers and Hill of Ipswich, a petition (accompanied by bill, House, No. 4437) of Theodore C. Speliotis and Bradford Hill (by vote of the town) relative to authorizing the town of Topsfield to issue an additional license for the sale of bottled wine not to be drunk on the premises to Alfalfa Farm Winery. To the committee on Consumer Protection and Professional Licensure. Topsfield,—
liquor license.

By Mr. Diehl of Whitman, a petition (accompanied by bill, House, No. 4438) of Geoff Diehl (by vote of the town) relative to the charter of the town of Abington. To the committee on Municipalities and Regional Government. Abington,—
charter.

Severally sent to the Senate for concurrence.

Mr. Hunt of Sandwich presented a petition (subject to Joint Rule 12) of Randy Hunt relative to the part-time elected officials of the West Barnstable Fire District; and the same was referred, under Rule 24, to the committee on Rules. West
Barnstable
Fire District.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Koczera of New Bedford, 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.

Dazlee Alvarado,—
sick leave.

Ms. Reinstein of Revere presented a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein for legislation to establish a sick leave bank for Dazlee Alvarado, an employee of the Department of Public Health; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Koczera of New Bedford, 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.

Petitions severally were presented and referred as follows:

Kevin Lewis,—
sick leave.

By Representative Cariddi of North Adams and Senator Downing, a joint petition (subject to Joint Rule 12) of Gailanne M. Cariddi and Benjamin B. Downing for legislation to establish a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services.

Fitchburg,—
Bourque
bridge.

By Mr. DiNatale of Fitchburg, a petition (subject to Joint Rule 12) of Stephen L. DiNatale and Jennifer L. Flanagan relative to designating a certain bridge in the city of Fitchburg in honor of George J. Bourque.

Federal
program
volunteers,—
retirement.

By Mr. Peterson of Grafton (by request), a petition (subject to Joint Rule 12) of John Alva McKeon for legislation to grant credible service for retirement purposes to volunteers in approved federal service programs.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Third grade
reading
proficiency.

The House Bill relative to third grade reading proficiency (House, No. 4243), came from the Senate passed to be engrossed, in concurrence, with amendments, in section 1, in lines 28, 29 and 30, striking out the following: “(1) comprehensive curricula on language and literacy development for children in early education and care programs and grades pre-kindergarten to third grade, inclusive, that (i) is anchored in rich content to be studied through thematic units” and inserting in place thereof the following: “(1) strategies for evaluating the effectiveness of curricula on language and literacy development for children in early education and care programs and grades pre-kindergarten to third grade, inclusive, that (i) is anchored in rich content”; and, in lines 49 and 50, striking out the words “the recommendations contained in ‘Turning the Page: Refocusing Massachusetts for Reading Success’ by Nonie Lesaux” and inserting in place thereof the following: “research-based recommendations contained in reports written by experts in early language and literacy development”; and in section 3 (as published), in line 65, striking out the date “December 31” and inserting in place thereof the following date “June 30”.

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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 relative to administrative reorganization of the city of Malden (House, No. 4311), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 13, in line 64, striking out the word “facilities” and inserting in place thereof the word “equipment”.

Malden,—
reorganization.

Under suspension of Rule 35, on motion of Mr. Fallon of Malden, 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.

The following notice was received from the Clerk of the Senate, to wit:—

September 12, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the following appointments:

Behavioral
health
services.

Senator Richard Ross (pursuant to Section 186 of Chapter 139 of the Acts of 2012) to the DMH Independent Advisory Committee for the purpose of arranging and evaluating an independent analysis of the public and private behavioral health services available to the residents of the Commonwealth; and

Ernest Gates of Middleton as his designee to the Special Commission established (pursuant to Section 273 of Chapter 224 of the Acts of 2012) to make an investigation and study of the cost of prescription drugs for both public and private payers.

Prescription
drug costs.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 Chris Walsh, Tom Sannicandro and Karen E. Spilka relative to property tax assessments. Under suspension of the rules, on motion of Mr. Koczera of New Bedford, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Property tax
assessments.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (House, No. 4429). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Noelle
Champoux-
Olson,—
sick leave
bank.

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 Mr. Kafka, 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:

Billerica,—
Knight
Bridge.

The Senate Bill designating a certain bridge in the town of Billerica as the Helen Knight Bridge (Senate, No. 2305); and

House bills

North
Andover.

Amending the charter of the town of North Andover (House, No. 4314) [Local Approval Received];

North
Andover,—
civil service.

Exempting the positions of laborer, skilled laborer and craftsman in the town of North Andover from the civil service law (House, No. 4316) [Local Approval Received]; and

Wareham,—
revenue.

Designating certain tax revenue in the town of Wareham (House, No. 4390) [Local Approval Received];

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.

Consumer
Protection and
Professional
Licensure,—
study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 106, 113, 117, 1035, 1872, 1879, 1881, 2694, 2697 and 3628, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning sales and solicitation (House, No. 4436).

Education,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 177, 179, 200, 207, 208, 214, 217, 232, 234, 244, 251 and 257 and House, Nos. 135, 139, 143, 150, 158, 166, 712, 1045, 1059, 1064, 1068, 1074, 1076, 1907, 1910, 1915, 1930, 1932, 1937, 1940, 1948, 2717, 2720, 2724 and 3596, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning curriculum, personnel, safety and climate, extracurricular activities and school building assistance issues (House, No. 4439).

Severally 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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

Engrossed bill

Bills
enacted.

Relative to the town of Marion open space acquisition commission (see House, No. 4188, amended); and

Authorizing the city of Medford to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4246);

(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 establishing a sick leave bank for Kathleen Anno, an employee of the Department of Public Health (House, No. 4422), 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. Sent to the Senate for concurrence.

Third
reading
bill.

The House Bill designating a certain bridge in the town of Billerica as the William G. Greene, Jr. Bridge (House, No. 1802) (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.

Billerica,—
William G.
Greene, Jr.
Bridge.

Pending the question on passing the bill to be engrossed, Mr. Lombardo of Billerica moved to amend it in lines 1 and 2 by striking out the following: “Notwithstanding any rule or regulation of the highway division to the contrary, the Bridge B-12-012” and inserting in place thereof the words “The bridge located on George Brown Street”.

The amendment was adopted; and the bill (House, No. 1802, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to the charter of the city of Somerville (House, No. 3442), was read a third time.

Somerville,—
charter.

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

Ms. Provost of Somerville then moved to amend the bill by substitution of a bill with the same title (House, No. 4440), which was read.

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

The House Bill establishing a charter for the town of Hubbardston (House No. 4209), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Hubbardston,—
charter.

Pending the question on passing the bill to be engrossed, Mrs. Ferguson of Holden moved to amend it in section 2, in lines 660 and 661, by striking out the following: “the November 6, 2012 biennial state election on the ballot prepared by the secretary of the Commonwealth for use in said town” and inserting in place thereof the words: “the next annual municipal election or a special election called for such purpose”.

The amendment was adopted; and the bill (House, No. 4209, amended) 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 Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-nine minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (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.

Monday, September 17, 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.

Resolutions.

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

Resolutions (filed by Mr. Ayers of Quincy) congratulating Arthur Bernard Keefe on his eightieth birthday; Arthur Keefe.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating William Husted on receiving the Eagle Award of the Boy Scouts of America; William Husted.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Alexander Koufos on earning the Eagle Scout Award; and Alexander Koufos.

Resolutions (filed by Mr. Keenan of Salem) congratulating Roy Petre on his retirement from the Massachusetts Department of Public Health; Roy Petre.

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

Annual Report.

The annual report of the Commissioner of Public Health (under Chapter 313 of the Acts of 2010) of the activities related to screening for postpartum depression, including best practices and effective screening tools for fiscal year 2012, was placed on file. Postpartum depression.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Reinstein of Revere and Senator Mr. Petruccelli, a joint petition (subject to Joint Rule 12) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate certain pavilions in the city of Revere as the Norman Gautreau memorial pavilions. Revere,—Gautreau memorial pavilions.

By Ms. Reinstein of Revere, a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate a certain parcel of land in the city of Revere as the Peter E. McCauley plaza. Revere,—McCauley plaza.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

UMass
Amherst,—
trust fund.

The Senate Bill providing for a labor-management workplace and education trust fund at the University of Massachusetts at Amherst (Senate, No. 2434) (on Senate bill No. 2001), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

The following communication was spread upon the records of the House, as follows:

September 14, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

Energy and
electricity
policies,—
Senate
appointments.

I have the honor to inform you that Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointment of Elliott L. Jacobson of Gloucester as his designee to the Special Commission established (pursuant to Section 41 of Chapter 209 of the Acts of 2012) to make an investigation and study of energy and electricity policies in the Commonwealth.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Kevin
Lewis,—
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 joint petition of Gailanne M. Cariddi and Benjamin B. Downing for legislation to establish a sick leave bank Kevin Lewis, an employee of the Department of Developmental Services. Under suspension of the rules, on motion of Mr. Walsh of Lynn, 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.

Stoughton,—
civil
service.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting the position of deputy chief of the Stoughton Police department from the provisions of civil service (House, No. 4417) [Local Approval Received]. 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 matter be scheduled for consideration by the House.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill to ensure transparency of workforce participation in public construction contracts (Senate, No. 2386), 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 4441. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Public construction contracts.

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

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2386, amended) was ordered to a third reading.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 249, 257, 261, 270, 1125, 1126, 1132, 1150, 1160, 1161, 1162, 1167, 1169, 1834, 2006, 2008, 2014, 2025, 2754, 2757, 2758, 3121, 3269, 3271, 3273, 3352, 3408, 3540 and 3585, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning agriculture, forestry, game, animals, and other land issues (House, No. 4442).

Environment, Natural Resources and Agriculture,—study.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, Nos. 412, 416, 427, 439, 448, 459, 470 and 471 and House, Nos. 283, 285, 286, 297, 308, 310, 314, 328, 1172, 1182, 1184, 1207, 1208, 2044, 2052, 2054, 2074, 2075, 3128, 3130, 3132 and 3252, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning property and liability insurance (House, No. 4443).

Financial Services,—study.

By the same member, for the same committee, on Senate, Nos. 428, 433, 437 and 440 and House, Nos. 26, 271, 275, 292, 312, 327, 1183, 1185, 1192, 1193, 1194, 1197, 1213, 2036, 2060, 2068, 2766, 2771, 3123, 3125, 3126, 3127, 3277, 3444, 3598, 3600 and 3601, an Order relative to authorizing the committee on Financial Services to make an investigation and study of a certain Senate and House documents concerning banking laws and mortgages (House, No. 4444).

Id.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Gloria Chisholm, an employee of the Massachusetts Department of Transportation (see House, No. 4184), 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.

Gloria Chisholm,—sick leave bank.

Gloria
Chisholm,—
sick leave
bank.

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 4 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 Senate to the Senate.

Engrossed Bills.

Bills
enacted.

Engrossed bills
Relative to third grade reading proficiency (see House, No. 4243, amended); and
Relative to administrative reorganization of the city of Malden (see House, No. 4311, 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.

Orders of the Day.

Third
reading
bill.

The Senate Bill establishing a sick leave bank Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 2431), 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.

Third
reading
bills.

House bills
Relative to civil service positions in the city of Agawam (House, No. 4189);
Relative to a special fund in the town of Plympton (House, No. 4276); and
Establishing a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance (House, No. 4410);
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. Sent to the Senate for concurrence.

Order.

Next
sitting.

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.

Mr. Cabral of New Bedford then moved that as a mark of respect to the memory of Thomas D. Lopes, a member of the House from New Bedford from 1975 to 1978, inclusive, the House adjourn; and the motion prevailed.

Accordingly at eighteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Palmer, the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, September 20, 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.

Resolutions.

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

Resolutions (filed by Mr. Jones of North Reading) recognizing the North Reading boys baseball team on winning the 2012 Division III state championship; North Reading,—baseball team.

Resolutions (filed by Mr. Beaton of Shrewsbury) on the occasion of the seventy-fifth anniversary of the Shrewsbury High School crew team; Shrewsbury,—crew team.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Christian Slutz on earning the Eagle Scout Award; and Christian Slutz.

Resolutions (filed by Mr. Levy of Marlborough) congratulating the Loyal Order of Moose, Marlboro Lodge 1129 on the occasion of its one hundredth anniversary; Marlborough,—Moose Lodge.

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. Balsler of Newton, 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. Timilty of Milton presented a petition (accompanied by bill, House, No. 4445) of Walter F. Timilty, Linda Dorcena Forry and Brian A. Joyce (by vote of the town) that the town of Milton be authorized to borrow money for payments of certain medical expenses; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence. Milton,—medical expenses.

Messrs. Beaton of Shrewsbury and Fresolo of Worcester presented a petition (subject to Joint Rule 12) of Matthew A. Beaton for legislation to establish a sick leave bank for Wayne Murry, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules. Wayne Murry,—sick leave.

Paper from the Senate.

The House Bill establishing a sick leave bank for Patricia Moran, an employee of the Executive Office of Health and Human Services (House, No. 4262), came from the Senate passed to be engrossed, in Patricia Moran,—sick leave bank.

Patricia
Moran,—
sick leave
bank.

concurrence, with amendments in lines 2, 4 and 5, striking out the words “Patricia Morin” (each time they appear) and inserting in place thereof the words “Patricia A. Morin”; in lines 8 and 9, striking out the words “health and human services”; and striking out the title and inserting in place thereof the following title: “An Act establishing a sick leave bank for Patricia A. Morin, an employee of the Executive Office of Health and Human Services.”.

Under suspension of Rule 35, on motion of Mr. Smola of Palmer, 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.

Historic
roadways.

The Senate Resolve providing for a special commission to identify, preserve and commemorate historic roadways (Senate, No. 2436) (on Senate, No. 1727), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Public safety,—
death benefits.

Petition (accompanied by bill) of Cheryl A. Coakley-Rivera and others relative to death benefits for police officers and firefighters. To the committee on Public Service.

Revere,—
McCauley
plaza.

Joint petition (accompanied by bill) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate a certain parcel of land in the city of Revere as the Peter E. McCauley plaza.

Revere,—
Gautreau
pavilions.

Joint petition (accompanied by bill) of Kathi-Anne Reinstein and Anthony W. Petruccelli for legislation to designate certain pavilions in the city of Revere as the Norman Gautreau memorial pavilions.

Severally to the committee on State Administration and Regulatory Oversight.

Hanson,—
David Hall
Station.

Petition (accompanied by bill) of Daniel K. Webster for legislation to designate a certain commuter rail station in the town of Hanson as the Lt. David Colin Hall commuter rail station. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. O’Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Fitchburg,—
special police
officers.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the recommitted petition (accompanied by bill, House, No. 4104) of Stephen L. DiNatale and Jennifer L. Flanagan (with the approval of the mayor and city council) relative to the appointment of special police officers in the city of Fitchburg, notwithstanding the maximum age requirement. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on House, Nos. 559, 563, 571, 572, 581, 1437, 1438, 1439, 1442, 1444, 1446, 1453, 1455, 1458, 1460, 1842, 2062, 2318, 2319, 2323, 2324, 2325, 2327, 2334, 2335, 2883, 2884, 2885, 2887, 2889, 2890, 3101, 3103, 3234, 3294, 3386, 3448 and 3458, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipalities and regional government issues (House, No. 4447) (Reported filed on March 21, 2012).

Municipalities and Regional Government,—study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 36 (as relates to sections 3, 4 and 5), 751, 754, 780, 787, 1681, 1682, 1683, 1713, 1719, 1732, 2501, 2502, 2515, 2520, 2550, 2551, 2553, 2560, 2561, 2977, 2999, 3026, 3260, 3300, 3301, 3302, 3309, 3313, 3375, 3377, 3384, 3415, 3426, 3466, 3554, 3560, 3693 and 3850, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning taxation issues (House, No. 4448).

Revenue,—study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (see Senate, No. 2431), 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.

Emmy Diaz,—sick leave bank.

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 5 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Exempting the position of deputy police chief in the town of Duxbury from the civil service provisions (see House, No. 4026); and

Bills enacted.

Relative to the administrative organization of financial officers in the city of Malden (see House, No. 4312);

(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
bill.

The Senate Bill relative to the use of off-highway and recreational vehicles (Senate, No. 2381), 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.

Third
reading
bills.

House bills
Exempting the position of deputy chief of the Stoughton Police Department from the provisions of civil service (House, No. 4417); and

Establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (House, No. 4429);

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. Sent to the Senate for concurrence.

Long-term
care
insurance.

The Senate Bill establishing standards for long-term care insurance (Senate, No. 2359, amended) (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.

Pending the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Costello of Newburyport moved to amend it section 2, in line 274 (as appearing in House document numbered 4348), after the word "misrepresentation", by inserting the words "alone but may be contested only upon a showing that the insured knowingly and intentionally misrepresented relevant facts relating to the insured's health."

The amendment was adopted; and the bill (Senate, No. 2359, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Monday, September 24, 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.

Resolutions.

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

Resolutions (filed by Ms. Coakley-Rivera of Springfield) congratulating the Massachusetts Workforce Professionals Association on their observance of National Workforce Development Month; and Workforce
Professionals
Association.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) honoring the memory and life of Robert E. Naughton on the dedication of the Robert E. Naughton Civic Square in the town of Medfield; Medfield,—
Robert E.
Naughton
Square.

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.

Appointment to a Special Commission.

The Minority Leader announced that he had appointed Thomas J. Regh of Sterling to serve as his designee to the special energy policy review commission established (under Section 41 of Chapter 209 of the Acts of 2012) to research and review the economic and environmental benefits as well as the economic and electricity cost implications of energy and electricity policies in the Commonwealth. Energy
Policy
Review
Commission.

Petition.

Representative Mahoney of Worcester and Senator Chandler presented a joint petition (subject Joint Rule 12) of John J. Mahoney and Harriette L. Chandler for legislation to establish a sick leave bank for Jennifer O'Connell, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules. Jennifer
O'Connell,—
sick leave.

Papers from the Senate.

The Senate Bill relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc (Senate, No. 2344) (on Senate, No. 2297) [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. Lynn,—
Gregory
LeBlanc.

Reports of Committees.

Fitchburg,—
Bourque
bridge.

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 Stephen L. DiNatale and Jennifer L. Flanagan relative to designating a certain bridge in the city of Fitchburg in honor of George J. Bourque. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Westminster,—
town
meetings.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a recommitted message from His Excellency the Governor, a Bill validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (printed in House, No. 4354).

Fitchburg,—
special police
officers.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a recommitted petition, a Bill relative to special police officers in the Fitchburg police department (House, No. 4104) [Local Approval Received].

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

Consumer
Protection and
Professional
Licensure,—
study.

By Mr. Spiliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 103, 105, 110, 111, 120, 121, 1015, 1026, 1878, 1889, 1890, 1891, 1899, 1900, 2693, 2695, 2696, 2787, 3265, 3742 and 3940, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning professional licensure issues (House, No. 4449). 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 Measure.

Patricia A.
Morin,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Patricia A. Morin, an employee of the Executive Office of Health and Human Services (see House, No. 4262, 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 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 Senate to the Senate.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Emmy Diaz, an employee of the Massachusetts Rehabilitation Commission (see Senate, No. 2431) (which originated in the Senate), 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. Bill enacted.

Engrossed bills

Relative to the use of off-highway and recreational vehicles (see Senate, No. 2381) (which originated in the Senate); and Bills enacted.

Relative to authorizing the board of selectmen of the town of Saugus to hire an auditing firm to conduct annual audits (see House, No. 4315) (which 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.

House bills

Authorizing the Orleans, Brewster and Eastham Groundwater Protection District to provide retirement benefits for district employees (House, No. 4175) (its title having been changed by the committee on Bills in the Third Reading); Third reading bills.

Validating the proceedings at the annual town meeting and the annual town election in the town of Heath (printed in House, No. 4353) (its title having been changed by the committee on Bills in the Third Reading); and

Providing the terms of bonds authorized by Chapter 242 of the Acts of 2012 (printed in House, No. 4399);

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.

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 twenty-six minutes before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (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.

Thursday, September 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.

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

Rose
Hayes.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Rose Hayes on the occasion of her one hundredth birthday;

Canton,—
Community
Club.

Resolutions (filed by Mr. Galvin of Canton) congratulating the Community Club of Canton on its one hundredth anniversary;

Franklin
Park Zoo.

Resolutions (filed by Ms. Malia of Boston and other members of the House) congratulating the Franklin Park Zoo on its one hundredth anniversary; and

Toshima
Francis
Wada.

Resolutions (filed by Mr. Rosa of Leominster) celebrating the thirtieth anniversary of Maestro Toshima Francis Wada with the Thayer Symphony Orchestra;

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 Mr. Hecht of Water-town, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Appointment to an Advisory Committee.

Behavioral
health care
services.

The Minority Leader announced that he had appointed Mrs. O'Connell of Taunton to serve as his designee on the advisory committee established (under Section 186 of Chapter 139 of the Acts of 2012) for the purpose of arranging for and evaluating an independent analysis of the public and private behavioral health care services available to the residents of the Commonwealth.

Petition.

Hanson,—
highway
surveyor.

Mr. Webster of Pembroke presented a petition (accompanied by bill, House, No. 4455) of Daniel K. Webster (by vote of the town) relative to changing the position of highway surveyor in the town of Hanson from an elected position to an appointed position; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Papers from the Senate.

A petition (accompanied by bill) of Carol Poyer for legislation establishing a sick leave bank for Carol Poyer, an employee of the department of youth services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service. Carol Poyer,—
sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2445) was referred, in concurrence, to the committee on Public Service.

The following notice was received from the Clerk of the Senate, to wit:—

September 25, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced the following appointments:

Senator Thomas McGee (pursuant to Chapter 254 of the Acts of 2012) to the Massachusetts afterschool and out-of-school time coordinating council; Afterschool council.

Senator William Brownsberger to the Special Commission established (pursuant to Section 56 of Chapter 176 of the Acts of 2011) to make an investigation and study of the Massachusetts Public Employees' Pension Classification System; Pension classification system.

Senator Michael R. Knapik (pursuant to Section 42 of Chapter 209 of the Acts of 2012) to the Plant Revitalization Task Force; Plant revitalization.

Senator Benjamin Downing (pursuant to Section 41 of Chapter 209 of the Acts of 2012) to the Energy Policy Review Commission; and Energy policy.

Senator Karen Spilka (pursuant to Section 34(a) of Chapter 240 of the Acts of 2012) to the Families and Children Requiring Assistance Advisory Board. Family and child assistance.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

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 joint petition of John J. Mahoney and Harriette L. Chandler for legislation to establish a sick leave bank for Jennifer O'Connell, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Cabral of New Bedford, 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. Jennifer O'Connell,—
sick leave bank.

Kathryn
Woessner,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kathryn Woessner, an employee of the Department of Corrections [sic] (House, No. 4446). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Lynn,—
Gregory
LeBlanc.

The Senate Bill relative to the adjustment of disability retirement benefits to Lynn police officer Gregory LeBlanc (Senate, No. 2344) [Local Approval Received]; and

House bills

Fitchburg,—
special police.

Relative to special police officers in the Fitchburg police department (House, No. 4104) [Local Approval Received]; and

Westminster,—
town
meetings.

Validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (printed in House, No. 4354);

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.

Charter
schools,—
study.

By Ms. Peisch of Wellesley, for the committee on Education, on Senate, Nos. 186, 187, 198, 210, 225, 231, 239, 240, 242, 243, 245 and 246 and House, Nos. 169, 170, 1049, 1067, 1086, 1091, 1093, 1925, 1926, 1935, 1951, 1963, 2710, 2722, 2723 and 2725, an Order relative to authorizing the committee on Education to make an investigation and study of certain Senate and House documents concerning charter schools (House, No. 4452).

Environment,
Natural
Resources and
Agriculture,—
study.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 218, 223, 226, 228, 229, 230, 234, 242, 243, 1128, 1130, 1134, 1151, 1152, 1165, 1986, 1998, 2003, 2010, 2013, 2017, 2021, 2024, 2026, 2750, 2753, 2759 and 3122, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning air quality, energy policy, hazardous waste, waste management, and other waste issues (House, No. 4451).

Automobile
insurance and
repairs,—
study.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, Nos. 407, 424, 425, 453, 454, 460, 477 and 478 and House, Nos. 272, 276, 277, 278, 280, 281, 282, 301, 309, 313, 315, 326, 1186, 1205, 1214, 1215, 2030, 2033, 2034, 2035, 2037, 2038, 2041, 2049, 2050, 2055, 2059, 2760, 2764, 2770, 2772, 3409 and 3541, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning automobile insurance and repairs (House, No. 4453).

By Mr. Vallee of Franklin, for the committee on Veterans and Federal Affairs, on Senate, Nos. 1815, 1817, 1820, 1821, 1824, 1826, 1827, 1828, 1829, 1830, 1832, 1833, 1834 and 1836 and House, Nos. 959, 962, 964, 966, 968, 969, 970, 971, 972, 1820, 2666, 2668, 3099, 3215, 3216, 3217, 3308, 3423, 3613, 3659, 3685 and 3686, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain Senate and House documents concerning veterans benefits (House, No. 4454) (Reported filed on March 20, 2012). Veterans' benefits,— study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Emergency Measure.

The engrossed Bill providing the terms of certain bonds to be issued by the Commonwealth to finance improvements to the Commonwealth's transportation system (see House, No. 4399), 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. Transportation system,— bonds.

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 4 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

Engrossed Bills.

Engrossed bills

Establishing a charter for the town of Hubbardston (see House, No. 4209, amended); and Bills enacted.

Authorizing the Cedar Meadow Lake Watershed District to prolong betterment payments (see House, No. 4319);
(Which severally originated in 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.

House bills

Relative to price adjustment (House, No. 822, amended);

Relative to the certification and training of fire service personnel in the city of Boston (House, No. 2389) (its title having been changed by the committee on Bills in the Third Reading); and Third reading bills.

Third
reading
bills.

Relative to the art commission for the city of Boston (House, No. 3784) (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,—

Next
sitting.

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

At a quarter before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (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.

Monday, October 1, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Annual and Special Reports.

Annual reports

Of the Group Insurance Commission (under section 21 of Chapter 32A of the General Laws) on its vendor quality improvement activities for fiscal year 2012; Group Insurance Commission.

Of the Director of the Biologic Laboratories (under section 43(f) of Chapter 75 of the General Laws) of the activities of said laboratories for the fiscal year 2012; and Biologic Laboratories.

Of the Massachusetts Life Sciences Center (under Section 15 of Chapter 23I of the General Laws) of its activities for the Fiscal Year 2012 [including Financial Statements with Management's Discussion and Analysis, dated June 30, 2012 and 2011] (copies were forwarded to the House committee on Ways and Means and the joint committee on Economic Development and Emerging Technology, as required by law); and Life Sciences Center.

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 the Hampden County Sheriff's Department in the town of Ludlow (a subsequent response from said department detailing corrective actions is attached to the report); Hampden County Sheriff's Department,— inspection report.

Severally were placed on file.

Paper from the Senate.

A Bill establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (Senate, No. 2418) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Ellen Grady,— sick leave bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

The following notice was received from the Clerk of the Senate, to wit:—

October 1, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
 Room 356, State House
 Boston, MA 02133

Dear Mr. Speaker:

EBT
cards.

I have the honor to inform you that the Honorable Bruce E. Tarr, Senate Minority Leader, has announced the appointment of Senator Robert L. Hedlund to the Special Commission established (pursuant to Section 5 of Chapter 161 of the Acts of 2012) to make an investigation and study of the development of a cashless payment system in using EBT cards.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

Kevin
Lewis,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services (House, No. 4450). 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 matter be scheduled for consideration by the House.

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

Chatham,—
charter.

Report of the committee on Municipalities and Regional Government, ought NOT to pass (under Joint Rule 10), on the recommitted Bill relative to the charter of the town of Chatham (House, No. 4141). Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith.

The House then refused to reject the bill. Pending the question on ordering the bill to a third reading, it was recommitted, on further motion of the same member.

Alcohol
issues,—
study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 98, 119, 1010, 1024, 1028, 1030, 1031, 1871, 1874, 1897, 2692, 2698, 2699, 2700, 2701 and 3267, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning alcohol issues (House, No. 4459).

Housing
issues,—
study.

By Mr. Honan of Boston, for the committee on Housing, on Senate, Nos. 580, 581, 589, 594, 599, 612, 613, 616, 619, 621, 622, 623, 624, 625, 1039 and 1983 and House, Nos. 7, 361, 366, 373, 376, 377, 378, 379, 381, 385, 388, 1044, 1247, 1261, 1262, 1264, 1265, 1266, 1268, 1269, 1272, 2114, 2121, 2122, 2123, 2124, 2125, 2126, 2129, 2130, 2131, 2669, 2789, 3135, 3136, 3278, 3356, 3357, 3428, 3544, 3635 and 3841, an Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning housing issues (House, No. 4460).

By the same member, for the same committee, on Senate, Nos. 583, 588, 591, 592, 596, 597, 598, 600, 601, 602, 603, 604, 605, 606, 609, 611, 615, 618, 620, 626 and 1043 and House, Nos. 358, 359, 360, 362, 371, 374, 384, 387, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1263, 1267, 1270, 1273, 2111, 2112, 2113, 2115, 2116, 2119, 2120, 2127, 2788, 2792 and 3522, an Order relative to authorizing the committee on Housing to make an investigation and study of certain Senate and House documents concerning Chapter 40B issues (House, No. 4461). Affordable Housing issues,— study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Orders of the Day.

The Senate Bill increasing consumer access to licensed marriage and family therapists (Senate, No. 72) (its title having been changed by the committee on Bills in the Third Reading to correctly drawn), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence. Third reading bill.

House bills

Relative to collection of estimated water assessments and general fund reimbursement in the town of Charlton (House, No. 4203); Third reading bill.

Designating a certain corner in the town of Watertown as Menton Corner (House, No. 4287); and

Establishing a sick leave bank for Kathryn Woessner, an employee of the Department of Correction (House, No. 4446) (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.

The Senate Bill establishing a Horseneck Beach Reservation Trust Fund (Senate, No. 376, 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.

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 nine minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

Thursday, October 4, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Nicholas Charles Murphy on receiving the Eagle Award of the Boy Scouts of America; and Nicholas Murphy.

Resolutions (filed by Representatives Peisch of Wellesley and Linsky of Natick) honoring Ryan Ward on receiving the Eagle Award of the Boy Scouts of America; Ryan Ward.

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 Mr. Kafka of Stoughton, 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 Department of Public Health submitting a report of corrective actions taken in response to a report filed (under the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Hampden County Sheriff's Department in the town of Ludlow; and Hampden Sheriff's Department,— corrections.

From the Special Commission relative to economic opportunities in the Commonwealth (under Section 127 of Chapter 359 of the Acts of 2010) submitting the results of its investigation and study relative to the economy in order to create and maintain quality jobs in the Commonwealth; Economic opportunities.

Severally were placed on file.

Petition.

Ms. Gobi of Spencer presented a petition (accompanied by bill, House, No. 4462) of Anne M. Gobi, Stephen M. Brewer and Denise Andrews (by vote of the town) relative to validating certain acts and proceedings taken at a special town election in the town of Templeton; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence. Templeton,— town election.

Papers from the Senate.

New Bedford
Police
Association.

The House Bill relative to the New Bedford Police Association (House, No. 4006), 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 2435.

Under suspension of Rule 35, on motion of Mr. Cabral of New Bedford, 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.

Route 116
Scenic
Byway.

The Senate Bill relative to the state highway Route 116 Scenic Byway (Senate, No. 2293) (on a petition), 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.

John
Kelley,—
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 James E. Vallee for legislation to establish a sick leave bank for John Kelley, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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.

Revere,—
McCauley
Memorial
Plaza.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating certain parcel of land in the city of Revere as the Peter E. McCauley memorial plaza (House, No. 4456). 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 matter be scheduled for consideration by the House.

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

Revere,—
Gautreau
memorial
pavilions.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill designating certain pavilions in the city of Revere as the Norman Gautreau memorial pavilion's (House, No. 4457). 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 matter be scheduled for consideration by the House.

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

Somerville,—
alcoholic
beverages.

Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 3851) of Denise Provost and others (with the approval of the mayor and city council) relative to the

sale of alcoholic beverages in the city of Somerville. Under suspension of the rules, on motion of Mr. Hill of Ipswich, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Ms. Forry of Boston.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 217, 220, 221, 224, 225, 227, 233, 241, 246, 255, 258, 260, 1121, 1122, 1123, 1129, 1133, 1137, 1138, 1145, 1147, 1988, 1997, 2002, 2009, 2015, 2016, 2020, 2028, 2744, 2745, 2746, 2747, 2752, 3119, 3228, 3275 and 3564, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning oceans, fisheries, water quality and other water issues (House, No. 4463).

Oceans, fisheries and water issues,—study.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, Nos. 404, 410, 415, 417, 418, 421, 422, 423, 430, 432, 434, 435, 436, 438, 441, 444, 446, 450, 451, 452, 456, 462, 467, 468, 469, 472, 474 and 475 and House, Nos. 284, 294, 302, 316, 317, 318, 319, 322, 329, 330, 1176, 1177, 1178, 1187, 1188, 1189, 1190, 1191, 1199, 1200, 1217, 2031, 2042, 2051, 2053, 2056, 2061, 2063, 2066, 2067, 2070, 2071, 2076, 2078, 2762, 2775, 3124, 3131, 3133, 3353, 3519 and 3566, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning health care insurance and insurance coverage issues (House, No. 4464).

Health care insurance and insurance coverage,—study.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 14, 856, 857, 858, 859, 860, 861, 863, 864, 865, 867, 872, 873, 875, 877, 878, 880, 881, 882, 885, 887, 888, 889, 1155, 1756, 1757, 1758, 1761, 1762, 1765, 1766, 1770, 1774, 1777, 1778, 2605, 2606, 2607, 2611, 2613, 2614, 2615, 2616, 2618, 2620, 2621, 2624, 2626, 3046, 3049, 3054, 3055, 3058, 3060, 3061, 3062, 3063, 3064, 3065, 3303, 3419, 3558, 3610, 3678 and 3829, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning telecommunications, utilities and energy issues (House, No. 4465).

Telecommunications, Utilities and Energy,—study.

Severally 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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

Engrossed bills

Increasing consumer access to licensed marriage and family therapists (see Senate, No. 72);

Bills enacted.

Providing for recall elections in the town of Northfield (see Senate, No. 1959, amended);

(Which severally originated in the Senate);

Bills
enacted.

Authorizing the appointment of Amy McCarthy as a police officer in the town of North Andover notwithstanding the maximum age requirements (see House, No. 3835); and

Amending the charter of the town of Westborough (see House, No. 4211);

(Which severally originated in 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
bill.

The Senate Bill establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (Senate, No. 2418), 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.

House bills

Third
reading
bills.

Relative to psychology training (House, No. 1003);

Authorizing property tax exemptions for rental properties in the town of Truro restricted as affordable housing (House, No. 3489);

Exempting Jeanine Bonnayer from the maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (House, No. 3875) (its title having been changed by the committee on Bills in the Third Reading);

Relative to special police officers in the police department of the city of Fitchburg (House, No. 4104) (its title having been changed by the committee on Bills in the Third Reading); and

Validating the acts, votes and proceedings of the 2012 spring annual town meeting and the 2012 spring special town meeting of the town of Westminster (printed in House, No. 4354);

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.

Third reading
bill amended.

The House Bill establishing a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services (House, No. 4450), 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, Ms. Cariddi of North Adams moved to amend it by inserting before the enacting clause 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 department of developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4450, amended) 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 Tuesday next at eleven o'clock A.M. Next sitting.

At a twenty-six minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, October 9, 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.

Message from the Governor — Veto.

Patricia A.
Morin,—
sick leave
bank.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing a sick leave bank for Patricia A. Morin, an employee of the Executive Office of Health and Human Services [see House, No. 4262, amended] (for message, see House, No. 4466), was filed in the office of the Clerk on Thursday, October 4.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting.

Appointment to a Special Commission.

EBT cards,—
cashless
payment
system.

The Minority Leader announced that he had appointed Mrs. O'Connell of Taunton to serve as his designee on the special independent commission established (under Section 5 of Chapter 161 of the Acts of 2012) to study and report on the development of a cashless payment system in using electronic benefit transfer, or EBT, cards.

Guests of the House.

Tremont
School.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced a group of fifth and sixth grade students, their chaperones and teacher, Nina Alberg, from the Tremont School in the town of Weston, who were seated in the House Chamber. They were the guests of Mr. Kafka of Stoughton.

Resolutions.

Patria e
Lavoro
Society.

Resolutions (filed by Mr. Parisella of Beverly) congratulating the Patria e Lavoro Society of Beverly on the occasion of its one hundredth year anniversary, 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. Balsler of Newton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Representative Conroy of Wayland and Senator Eldridge presented a joint petition (accompanied by bill, House, No. 4471) of Thomas P. Conroy and James B. Eldridge (by vote of the town) for legislation to increase the membership of the board of selectmen in the town of Sudbury; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Sudbury,—
board of
selectmen.

Papers from the Senate.

A Bill authorizing the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2420, amended in section 1, in lines 3 and 4; in section 2, in lines 19 and 20; and in section 3, in lines 34 and 35, by striking out the words “all alcoholic”, in each instance, and inserting in place thereof the words “wine and malt”) (on Senate, No. 2352) [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.

Seekonk,—
alcoholic
beverages.

Petition (accompanied by bill, Senate, No. 2448) of Katherine M. Clark, Paul J. Donato, Christopher G. Fallon and Stephen Stat Smith (with the approval of the mayor and city council) for legislation to authorize the Malden traffic commission to establish special speed regulations on certain streets, was referred, in concurrence, to the committee on Transportation.

Malden,—
traffic
regulations.

Reports of Committees.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on House, Nos. 188, 189, 190, 191, 192, 193, 194, 195, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 213, 214, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1112, 1113, 1115, 1116, 1117, 1119, 1120, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1982, 1983, 1984, 2729, 2730, 2731, 2732, 2733, 2735, 2736, 2738, 2741, 2742, 3114, 3115, 3116, 3227, 3350 and 3430, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain House documents concerning election laws issues (House, No. 4467) [Representative Lombardo of Billerica dissenting]. Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Election
Laws
issues,—
study.

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.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 3851, a Bill relative to the sale of alcoholic beverages in the city of Somerville (House, No. 4468) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Somerville,—
alcoholic
beverages.

Emergency Measures.

Ellen
Grady.—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Ellen Grady, an employee of the Department of Public Health (see Senate, No. 2418), 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 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

New Bedford
Police
Association.

The engrossed Bill relative to the New Bedford Police Association (see House, No. 4006, 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 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 Bills.

Engrossed bills

Bills
enacted.

Establishing a Horseneck Beach Reservation Trust Fund (see Senate, No. 376, amended) (which originated in the Senate); and

Authorizing the city known as the town of Braintree to grant an additional liquor license (see House, No. 4292, amended) (which 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.

House bills

Third
reading
bills.

Relative to spear fishing (House, No. 247);

Designating a certain parcel of land in the city of Revere as the Peter E. McCauley Memorial Plaza (House, No. 4456) (its title having been changed by the committee on Bills in the Third Reading); and

Designating certain pavilions in the city of Revere as the Norman Gautreau Memorial Pavilions (House, No. 4457) (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.

The House Bill protecting the health and safety of people in restaurants (House, No. 1462) (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.

Restaurants,—
choking
safety.

Pending the question on passing the bill to be engrossed, Ms. Balsler of Newton moved to amend it by substitution of a bill with the same title (House, No. 4469).

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

The House Bill authorizing Adam A. Seguin to take the civil service examination for appointment as a police officer in the town of Ware notwithstanding the maximum age requirement (House, No. 4283), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Adam A.
Seguin,—
civil
service.

Pending the question on passing the bill to be engrossed, Mr. Smola of Palmer moved to amend it by substitution of a bill with the same title (House, No. 4470).

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 twenty-three minutes after eleven o'clock A.M., on motion of Mr. Humason of Westfield (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.

Thursday, October 11, 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.

Guests of the House.

Antony,
France,—
exchange
students.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced a group of exchange students who were seated in the House Chamber from Antony, France. Antony, a commune in the southern suburbs of Paris, is the sister community to the town of Lexington. They were the guests of Mr. Kaufman of Lexington.

Resolutions.

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

The
Discovery
Museums.

Resolutions (filed by Representatives Benson of Lunenburg and Atkins of Concord) congratulating The Discovery Museums on the occasion of its thirtieth anniversary;

Woburn,—
St. Charles
Borromeo
Parish.

Resolutions (filed by Messrs. Dwyer of Woburn and Kaufman of Lexington) congratulating to St. Charles Borromeo Parish of Woburn on the occasion of its one hundred and fiftieth anniversary;

Thomas A.
Miller.

Resolutions (filed by Mr. Miceli of Wilmington) congratulating Detective Thomas A. Miller on his retirement from the Wilmington Police Department;

Paul
Fulcher.

Resolutions (filed by Ms. Peake of Provincetown) honoring Paul Fulcher for his thirty-seven years of service to the town of Orleans;

Nathan
Garran.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Nathan Garran on receiving the Eagle Award of the Boy Scouts of America;

Stefan
Millis
Anthos.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Stefan Millis Anthos on receiving the Eagle Award of the Boy Scouts of America;

Robert G.
Osgood.

Resolutions (filed by Mr. Speliotis of Danvers) recognizing Robert "Bob" G. Osgood for fifty-five years of volunteer service to the town of Danvers; and

William
James
Ostiguy.

Resolutions (filed by Mr. Walsh of Boston and other members of the House) congratulating William James Ostiguy on his retirement from the Boston Fire Department and commending him for his exemplary efforts in the field of substance abuse;

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

Communication.

Communication from the Chief Counsel of the Committee of Public Counsel Services (under item 0321-1500 of Section 2 of Chapter 68 of the Acts of 2011) submitting its fourth quarterly report relative to the implementation of the directive to develop a system of appointment of counsel in which no less than twenty-five per cent of indigent defendants be represented by public defender staff by the end of fiscal year 2012 (said report having been due on June 29, 2012, pursuant to said item), was placed on file.

Public
Counsel
Services.

Petition.

Mr. Kulik of Worthington presented a petition (subject Joint Rule 12) of Stephen Kulik and Stanley C. Rosenberg for legislation to establish a sick leave bank for Judy D'Antonio, an employee of the Department of Transitional Assistance; and the same was referred, under Rule 24, to the committee on Rules.

Judy
D'Antonio,—
sick leave
bank.

Paper from the Senate.

The House Bill authorizing the town of Sharon to grant licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4163) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

Sharon,—
liquor
licenses.

“SECTION 1. Notwithstanding chapter 431 of the acts of 1998 or any other general or special law to the contrary, the licensing authority of the town of Sharon may grant licenses for the sale of all alcoholic beverages to be drunk on the premises to restaurants and function rooms having seating capacities of not less than 18 persons.”

Under suspension of Rule 35, on motion of Mr. Kafka of Stoughton, 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.

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

Senate bills

Relative to the state highway Route 116 Scenic Byway (Senate, No. 2293); and

Rt. 116
Byway.

Authorizing the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2420, amended) [Local Approval Received]; and

Seekonk,—
alcoholic
beverages.

The House Bill relative to the sale of alcoholic beverages in the city of Somerville (House, No. 4468) [Local Approval Received];

Somerville,—
alcoholic
beverages.

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.

Chatham,—
charter.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, that the recommitted Bill relative to the charter of the town of Chatham (House, No. 4141), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4473). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Fall River,—
wastewater
treatment.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to wastewater treatment in the city of Fall River (House, No. 4430) [Local Approval Received].

Fall River,—
water storage
facility.

By the same member, for the same committee, on a joint petition, a Bill relative to a water storage facility in the city of Fall River (House, No. 4431) [Local Approval Received].

Abington,—
charter.

By the same member, for the same committee, on a petition, a Bill relative to the charter of the town of Abington (House, No. 4438) [Local Approval Received].

Milton,—
medical
expenses.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Milton to borrow money for payments of certain medical expenses (House, No. 4445) [Local Approval Received].

Hanson,—
highway
surveyor.

By the same member, for the same committee, on a petition, a Bill relative to the position of appointed highway surveyor in the town of Hanson (House, No. 4455) [Local Approval Received].

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

Public
safety,—
study.

By Mr. Brady of Brockton, for the committee on Public Safety and Homeland Security, on House, Nos. 636, 637, 638, 639, 640, 641, 642, 643, 644, 646, 647, 649, 650, 651, 652, 654, 655, 656, 657, 661, 662, 663, 665, 666, 668, 669, 670, 1548, 1549, 1551, 1555, 1556, 1561, 1562, 1563, 1564, 1565, 1569, 1570, 1572, 1573, 1574, 1575, 1576, 1579, 1580, 2005, 2387, 2388, 2392, 2393, 2394, 2395, 2397, 2399, 2401, 2404, 2405, 2407, 2409, 2910, 2911, 2912, 2913, 2915, 2916, 2917, 2918, 2920, 2922, 3166, 3298, 3372, 3373, 3632 and 3683, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety issues (House, No. 4472). 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 Measure.

Noelle
Champoux-
Olson,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Noelle Champoux-Olson, an employee of the Department of Youth Services (House, No. 4429), 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 4 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

Engrossed Bill.

The engrossed Bill validating the proceedings at the annual town meeting and the annual town election in the town of Heath (see House Bill printed in House, No. 4353) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Heath,— elections.

Orders of the Day.

Senate bills

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (Senate, No. 361);

Third reading bills.

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (Senate, No. 2169); and

Authorizing the town of Rockport to grant a license for the sale of wines and malt beverages at a food store (Senate, No. 2239) [Local Approval Received];

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.

The Senate Bill regulating surgical technology (Senate, No. 2058), was read a second time.

Surgical technology.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4298,— Mr. Walsh of Boston moved to amend the proposed substitute text in section 1, in line 48, by inserting after the word “supervision”, the words “limited to clinical guidance”; and the further amendment was adopted.

Ms. Canavan of Brockton then moved to amend the proposed substitute text in section 1, in line 9, by inserting after the word “nursing” the words “who is immediately available to physically intervene in providing care to the surgical patient”; and the further amendment was adopted.

The amendment recommended by the committee on Ways and Means, as amended, then was adopted; and the bill (Senate, No. 2058, amended) was ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Humason of Westfield (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.

Monday, October 15, 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.

Guests of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced a group of government officials from Pakistan who were visiting Massachusetts under the auspices of the Massachusetts Municipal Association, to learn about our methods of government administration. They were the guests of Ms. Provost of Somerville. Pakistani government officials.

Resolutions.

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

Resolutions (filed by Representatives Ehrlich of Marblehead, Fennell of Lynn, Walsh of Lynn and Wong of Saugus) congratulating Saint Mary's Parish on its one hundred and fiftieth anniversary; and Lynn,— Saint Mary's Parish.

Resolutions (filed by Messrs. Keenan of Salem and Cusack of Braintree) congratulating the Project Prove program on its fortieth anniversary; Project Prove.

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

Annual and Special Reports.

A special report of the Department of Public Health (under the provisions of Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of the Northeastern Correctional Center in the town of Concord; and Northeastern Correctional Center.

The annual report of the Rose Fitzgerald Kennedy Greenway Conservancy (under Chapter 306 of the Acts of 2008) describing its performance against the goals for the prior year, and detailing all revenues and expenditures of funds for the prior year, regardless of source, for the fiscal year 2012; Rose Fitzgerald Kennedy Greenway Conservancy.

Severally were placed on file.

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 following petitions:

Wayne
Murry,—
sick leave.

Petition (accompanied by bill) of Mathew A. Beaton for legislation to establish a sick leave bank for Wayne Murry, an employee of the Department of Transportation.

Judy
D'Antonio,—
sick leave.

Joint petition (accompanied by bill) of Stephen Kulik and Stanley C. Rosenberg for legislation to establish a sick leave bank for Judy D'Antonio, an employee of the Department of Transitional Assistance.

Severally to the committee on Public Service.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Milton,—
medical
expenses.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the town of Milton to borrow money for payments of certain medical expenses (House, No. 4445) [Local Approval Received], 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.

Chatham,—
charter.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the recommitted Bill relative to the charter of the town of Chatham (House, No. 4141) [Local Approval Received], be scheduled for consideration by the House, with a previously recommended amendment pending; and the main question being on ordering the bill to a third reading.

Under suspension of Rule 7A, on motion of the same member, the bill was considered forthwith.

The amendment previously recommended by the committee on Municipalities and Regional Government,— that the bill be amended by substitution of a bill with the same title (House, No. 4473),— was adopted; and the substituted bill was ordered to a third reading.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Designating a certain node of the Blackstone River and Canal Heritage State Park in the town of Uxbridge as the Effingham Capron Memorial Park (see Senate, No. 361);

Designating a certain portion of Route 197 in the town of Dudley as the Anthony B. DiDonato, Sr. Memorial Highway (see Senate, No. 2169);

Authorizing the town of Rockport to grant a license for the sale of wines and malt beverages at a food store (see Senate, No. 2239);

Establishing standards for long-term care insurance (see Senate, No. 2359, amended);

(Which severally originated in the Senate); and

Designating a certain bridge in the town of Billerica as the William G. Greene, Jr. Bridge (see House, No. 1802, amended);

Validating certain actions taken by the Old Colony Regional Vocational Technical High School District relative to certain borrowing (see House, No. 3914, amended); and

Authorizing the town of Sharon to grant licenses to certain establishments for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4163, amended);

(Which severally originated in 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 Senate Bill relative to the charter of the city of Westfield (Senate, No. 2288, 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.

Third
reading
bill.

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 sixteen minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (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.

Thursday, October 18, 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.

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

Purple Pinkie
Day.

Resolutions (filed by Mr. Bastien of Gardner) recognizing October 24, 2012, as "Purple Pinkie Day" in the Commonwealth;

Christopher
Diraffaele.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Christopher Diraffaele on receiving the Eagle Award of the Boy Scouts of America;

Burlington
Veterans Day.

Resolutions (filed by Mr. Murphy of Burlington) recognizing Burlington Massachusetts Veterans Day; and

Patricia
Dunne.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating Patricia Dunne on her retirement from the Department of Children and Families;

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

Annual Reports.

Annual reports

Telecommu-
nications.

Of the Department of Telecommunications and Cable (under Section 6 of Chapter 25C of the General Laws) for the year 2011; and

Cable
appeals.

Of the Department of Telecommunications and Cable (under the provisions of Section 2 of Chapter 166A of the General Laws) relative to appeals that came before said department for calendar year 2011 [copies were forwarded to the committee on Ways and Means and the committee on Telecommunications, Utilities and Energy, as required by said law];

Severally were placed on file.

Petitions.

Scott
Giroux,—
sick leave
bank.

Mr. Smola of Palmer presented a petition (subject Joint Rule 12) of Todd M. Smola for legislation to establish a sick leave bank for Scott Giroux, an employee of the Department of Mental Health; and the same was referred, under Rule 24 to the committee on Rules.

Papers from the Senate.

The House Bill relative to comprehensive protection from childhood sexual abuse (House, No. 4329), 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 2409. Childhood sexual abuse.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Mariano, Bradley of Hingham and Harrington of Groton were appointed to the committee on the part of the House. Sent to the Senate to be joined. Conference committee.

A petition (accompanied by bill) of Marc R. Pacheco and Patricia A. Haddad for legislation to establish a sick leave bank for Gary Vuolo, an employee of the Department of Correction, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service. Gary Vuolo,— sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2449) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

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 wastewater treatment in the city of Fall River (House, No. 4430) [Local Approval Received]; and Fall River,— wastewater.

Relative to a water storage facility in the city of Fall River (House, No. 4431) [Local Approval Received]; Fall River,— water storage.

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. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Dazlee Alvarado, an employee of the Massachusetts Department of Public Health (House, No. 4474). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Dazlee Alvarado,— sick leave bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Mr. John Kelley, an employee of the department of corrections [sic] (House, No. 4475). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. John Kelley,— sick leave bank.

John
Kelley,—
sick leave
bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Public
health,—
study.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, Nos. 583, 586, 587, 588, 589, 593, 596, 600, 601, 603, 604, 607, 609, 610, 611, 612, 615, 616, 617, 618, 619, 620, 621, 622, 625, 626, 627, 629, 630, 631, 633, 634, 1055, 1463, 1464, 1468, 1470, 1475, 1480, 1483, 1486, 1487, 1490, 1493, 1495, 1497, 1502, 1503, 1504, 1505, 1508, 1510, 1511, 1512, 1525, 1527, 1531, 1533, 1534, 1535, 1536, 1538, 1539, 1540, 1541, 1542, 1544, 1843, 2336, 2337, 2338, 2341, 2344, 2345, 2346, 2351, 2353, 2354, 2356, 2358, 2359, 2360, 2363, 2365, 2370, 2371, 2376, 2377, 2378, 2379, 2382, 2891, 2893, 2894, 2895, 2896, 2898, 2899, 2901, 2902, 2903, 2904, 3162, 3164, 3253, 3261, 3295, 3363, 3368, 3370, 3602, 3615, 3645, 3746 and 3975, an Order relative to authorizing the committee on Public Health to make an investigation and study of certain House documents concerning environmental health, physical health, health-related research, health care financing, health-related professions, public health facilities, and other matters concerning the public health (House, No. 4476). 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.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Relative to the charter of the town of Westfield (see Senate, No. 2288, amended) (which originated in the Senate);

Relative to the town of Tisbury water supply system (see House, No. 566);

Establishing the Melpet Farm stable operations and improvement fund for the town of Dennis (see House, No. 3845); and

Relative to special police officers in the police department of the city of Fitchburg (House, No. 4104);

(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.

House bills

Third
reading
bills.

Relative to the police department of the town of Wilbraham (House, No. 4212, changed) (its title having been changed by the committee on Bills in Third Reading); and

Authorizing the town of Milton to borrow money for payments of certain medical expenses (House, No. 4445);

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 relative to the finance committee of the town of Provincetown (House, No. 4054), reported by the committee on Bills in the Third Reading be correctly, was read a third time. Third reading
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4477), 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 Monday next at eleven o'clock A.M. Next
sitting.

At twenty-two minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (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.

Monday, October 22, 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.

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

North
Attleborough,—
church.
Angkor Dance
Troupe.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating the First Congregational Church on its three hundredth anniversary;

Resolutions (filed by Messrs. Golden of Lowell, Murphy of Lowell and Nangle of Lowell) honoring Angkor Dance Troupe on their twenty-fifth anniversary;

Centennial
Legion.

Resolutions (filed by Mr. Keenan of Salem) congratulating the Centennial Legion of Historic Military Commands on the occasion of its visit to the historic city of Salem; and

Saint Pius V
Parish.

Resolutions (filed by Representatives Walsh of Lynn, Ehrlich of Marblehead, Fennell of Lynn and Wong of Saugus) in honor of the one hundredth anniversary of the Saint Pius V Parish;

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.

Templeton,—
town
meeting.

Ms. Gobi of Spencer presented a joint petition (accompanied by bill, House, No. 4484) of Anne M. Gobi, Stephen M. Brewer and Denise Andrews (by vote of the town) relative to certain subjects in the warrant to be considered at the annual town meeting of the town of Templeton; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Barbara A.
Dichiaro,—
sick leave
bank.

Mr. Basile of Boston presented a petition (subject Joint Rule 12) of Carlo Basile for legislation to establish sick leave bank for Barbara A. Dichiaro, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Reports of Committees.

Abington,—
town
charter.

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 Abington (House, No. 4438) [Local Approval Received], 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. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the recorking of wine (Senate, No. 115) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Recorking
of wine.

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

Under suspension of said rule, on motion of Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to injured on duty benefits for environmental police officers (House, No. 726, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4482). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Environmental
police officers.

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

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the officers of the court (House, No. 1630), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4483). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Court
officers.

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

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Judy D'Antonio, an employee of the Department of Transitional Assistance (House, No. 4478). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Judy
D'Antonio,—
sick leave
bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Jennifer
O'Connell,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Jennifer O'Connell, an employee of the Department of Correction (House, No. 4479). 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 matter be scheduled for consideration by the House.

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

Engrossed Bills.

Bill
enacted.

The engrossed Bill providing for the appointment of treasurer-collector in the town of Avon (see House, No. 4389) (which originated in the House), 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.

Dazlee
Alvarado,—
sick leave
bank .

The House Bill establishing a sick leave bank for Dazlee Alvarado, an employee of the Massachusetts Department of Public Health (House, No. 4474), 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, Ms. Reinstein of Revere moved to amend it by inserting before the enacting clause 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 department of public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4474, amended) was passed to be engrossed. Sent to the Senate for concurrence.

John
Kelley,—
sick leave
bank

The House Bill establishing a sick leave bank for John Kelley, an employee of the Department of Correction (House, No. 4475) (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.

Pending the question on passing the bill to be engrossed, Mr. O'Day of West Boylston moved to amend it by inserting before the enacting clause 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 department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4475, amended) 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 twenty-one minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (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.

Thursday, October 25, 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.

Silent Prayer.

Beverly,—
Carmello
"Charlie"
Anthony
Amore.

At the request of Mr. Parisella of Beverly, the members, guests and employees stood in a moment of silent tribute to the memory of Carmello "Charlie" Anthony Amore, a lifelong resident of Beverly, who passed away peacefully on Sunday, October 21st, at the home of his daughter Carol, surrounded by his children and grandchildren.

He was the husband of the late Catherine R. (Campbell) Amore with whom he shared fifty-nine years of marriage.

"Charlie" was born in Lawrence on April 14, 1917; he was the son of the late Alfio and Barbara Amore. He was a U.S. Army veteran of World War II who served in the Pacific Theater before being honorably discharged in January of 1946.

"Charlie" was the owner of the Capri restaurant in Beverly for 33 years.

Resolutions.

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

Timothy
Smith.

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Timothy Smith on receiving the Eagle Award of the Boy Scouts of America;

Arthur
Bloom.

Resolutions (filed by Ms. Garlick of Needham) honoring Arthur Bloom for fifty years of service to the Needham Exchange Club and the town of Needham; and

Steven
Gag.

Resolutions (filed by Mr. Sánchez of Boston) honoring Steven Gag and his many accomplishments as a leading innovator in technological development in the city of Boston;

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

Paper from the Senate.

Burlington,—
tax
abatement.

The Senate Bill authorizing the town of Burlington to grant retroactive abatements for certain taxes to certain military personnel (Senate, No. 2302) (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.

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 Carlo Basile for legislation to establish a sick leave bank for Barbara A. Dichiaro, an employee of the Massachusetts Department of Transportation. Under suspension of the rules, on motion of Mr. Parisella of Beverly, 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.

Barbara A. Dichiaro,—
sick leave
bank.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 4471) of Thomas P. Conroy and James B. Eldridge (by vote of the town) for legislation to increase the membership of the board of selectmen in the town of Sudbury,— and recommending that the same be referred to the committee on Election Laws. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Sudbury,—
board of
selectman.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Wayne Murry (House, No. 4481). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Wayne Murry,—
sick leave
bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bill.

The engrossed Bill authorizing the continued employment of Thomas J. Osley, the chief of police of the town of Hatfield (see House, No. 4142) (which originated in the House), 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.

Bill
enacted.

Orders of the Day.

House bills

Authorizing the investment of certain funds for the water supply district of Avon (House, No. 2317);

Establish a sick leave bank for Judy D'Antonio, an employee of the Department of Transitional Assistance (House, No. 4478); and

Establishing a sick leave bank for Jennifer O'Connell, an employee of the Department of Correction (House, No. 4479);

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.

Third
reading
bills.

The House Bill for the Falmouth retirement system (House, No. 4317), was read a third time.

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

The bill then was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

Surgical
technology.

The Senate Bill regulating surgical technology (Senate, No. 2058, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on pass the bill to be engrossed, in concurrence, Mr. Walsh of Lynn moved to amend the text (inserted by amendment by the House) in section 1, in line 40, by striking out the year "2012" and inserting in place thereof the year "2013"; by inserting after line 54 the following paragraph:

"(e) Notwithstanding subsection (b), a surgical facility may employ a surgical technologist who does not meet the requirements of this section if the surgical facility receives a waiver from the department signifying that the surgical facility has: (1) made a diligent and thorough effort to employ qualified surgical technologists who meet the requirements of this section; and (2) is unable to employ enough qualified surgical technologists for its needs. The department, in consultation with an advisory committee of clinicians, shall establish criteria for said waiver."; and by striking out section 3 and inserting in place thereof the following section:

"SECTION 3. Section 1 shall take effect on July 1, 2013."

The amendments were adopted; and the bill (Senate, No. 2058, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (see House document numbered 4352, amended).

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 eighteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Tuesday, October 30, 2012.

Met at eleven o'clock A.M. (notwithstanding the Order adopted at the previous sitting requiring the House to meet at 11:00 AM on Monday, October 29, 2012), 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.

Communication from the Speaker.

The following communication from the Speaker of the House was spread upon the records of the House, to wit:

October 30, 2012.

The Honorable Steven T. James, *Clerk*
Massachusetts House of Representatives
State House, Room 145
Boston, Massachusetts 02133

Dear Mr. Clerk:

Please note in the Journal of the House that, notwithstanding the Order adopted on October 25, 2012 requiring the House to meet at 11:00 AM on Monday, October 29, 2012, I cancelled said session under the authority granted me by House Rule 44. I did so in light of the State of Emergency declared by his Excellency the Governor on that day due to Hurricane Sandy. Cancelled session due to state of emergency.

As such, I informed all Members of the House that the Informal Session scheduled for Monday, October 29, 2012 would convene instead on Tuesday, October 30, 2012 at 11:00 AM.

Thank you for your attention to this matter.

Very truly yours,

ROBERT A. DeLEO,
Speaker of the House.

Resolutions.

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

Resolutions (filed by Messrs. Boldyga of Southwick and Humason of Westfield) commemorating the celebration of November, 2012 as Lung Cancer Awareness Month in the Commonwealth; Lung Cancer Awareness Month.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) honoring the Antalek brothers on the dedication of the Antalek Brothers Square in the town of Natick; and Natick.—Antalek Brothers Square.

Halifax.—
Sisters of
Charity.

Resolutions (filed by Ms. Peisch of Wellesley) honoring the Sisters of Charity, Halifax on the occasion of its one hundred and twenty-fifth anniversary of the Sisters' arrival in the Archdiocese of Boston;

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. Peisch, 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

Massachusetts
Broadband
Institute.

From the Massachusetts Broadband Institute (under section 6B(g) of Chapter 40J of the General Laws) submitting a revised detailed long-term plan for said institute [copies of said report forwarded, as required by said law, to the committee on Ways and Means, the committee on Telecommunications, Utilities and Energy, and the committee on Economic Development and Emerging Technologies];

Civil
service
lists.

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 as of October 1, 2012; and

Duplicate
elevator
inspections,—
fees.

From the Department of Public Safety providing notice of a public hearing on Wednesday, November 28, 2012 at 2:00 P.M., relative to a proposed fee for the issuance of duplicate elevator inspection certificates;

Severally were place on file.

Report.

Statutory
Basis
Financial
Report.

A report of the Office of the Comptroller (under the provisions of Section 12(a) of Chapter 7A of the General Laws) submitting the Statutory Basis Financial Report for the fiscal year ending June 30, 2012, was placed on file.

Petitions.

Charles
River,—
water
quality
study.

Ms. Gobi of Spencer presented a petition (subject Joint Rule 12) of Anne M. Gobi and Marc R. Pacheco relative to reviving and continuing the special commission established (under Chapter 498 of the Acts of 2008) to make an investigation and study of the water quality of the Charles River; and the same was referred, under Rule 24, to the committee on Rules.

Report of a Committee.

Hanson,—
highway
surveyor.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the position of appointed highway surveyor in the town of Hanson (House, No. 4455) [Local Approval Received], 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.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Katherine Woessner, an employee of the Department of Correction (see House, No. 4446), 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. Katherine Woessner,—sick leave bank.

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.

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. Bill enacted.

Engrossed Bill.

The engrossed Bill authorizing certain development parcel tax revenues to be deposited into a special fund in the town of Plympton (see House, No. 4276) (which originated in the House), having been certified by the Clerk to 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. Bill enacted.

Orders of the Day.

The Senate Bill establishing the water and sewer commission of the town of Dudley (Senate, No. 2060), 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. Third reading bill.

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 seventeen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Thursday, November 1, 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.

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

Eric James
Montanari.

Resolutions (filed by Mr. deMacedo of Plymouth) congratulating Eric James Montanari on receiving the Eagle Award of the Boy Scouts of America; and

Polish
American
Congress.

Resolutions (filed by Mr. Scibak of South Hadley and other members of the House) congratulating the Polish American Congress on its fifth annual Day of Recognition;

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.

Petition.

Wendy
Watts,—
sick leave
bank.

Mr. Sannicandro of Ashland presented a petition (subject to Joint Rule 12) of Tom Sannicandro and Karen E. Spilka for legislation to establish a sick leave bank for Wendy Watts, an employee of Executive Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

West
Stockbridge,—
mobile home.

A Bill providing for the establishment and administration of rent regulations and the control of evictions in mobile home accommodations in the town of West Stockbridge (Senate, No. 2351) (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.

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.

Reports of Committees.

Charles River,—
water quality
study.

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 joint petition of Anne M. Gobi and Marc R. Pacheco relative to reviving and continuing the special com-

mission established (under Chapter 498 of the Acts of 2008) to make an investigation and study of the water quality of the Charles River. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Burlington to grant retroactive abatements for certain taxes to certain military personnel (Senate, No. 2302) [Local Approval Received], be scheduled for consideration by the House.

Burlington,—
tax
abatement.

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. Scibak of South Hadley, for the committee on Public Service, on House, Nos. 16, 17, 18, 19, 34, 36, 671, 672, 673, 674, 678, 679, 681, 682, 684, 685, 686, 687, 688, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 702, 705, 706, 707, 708, 709, 713, 714, 715, 716, 717, 719, 720, 721, 722, 723, 724, 725, 727, 728, 729, 730, 731, 732, 733, 734, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 1218, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1591, 1592, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1619, 1620, 1621, 1622, 1626, 1627, 1628, 1629, 1632, 1633, 1634, 1635, 1637, 1638, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1657, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1670, 1671, 1844, 1845, 1847, 1855, 2410, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2427, 2428, 2429, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2454, 2455, 2456, 2457, 2458, 2459, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2473, 2474, 2475, 2476, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2767, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2940, 2942, 2944, 2946, 2947, 2948, 2950, 2951, 2952, 2953, 2954, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2966, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2978, 2979, 2980, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3218, 3223, 3235, 3236, 3254, 3374, 3394, 3411, 3412, 3413, 3414, 3451, 3550, 3551, 3552, 3553, 3633, 3753, 3759 and 3952, an Order relative to authorizing the committee on Public Service to make an investigation and study of certain House documents concerning public service issues (House, No. 4486). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Public
Service,—
study.

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 Measure.

Kevin
Lewis,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services (see House, No. 4450, 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 7 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills
Establishing the water and sewer commission of the town of Dudley (see Senate, No. 2060) (which originated in the Senate); and

Authorizing the Falmouth Retirement Board to acquire real property in the town of Falmouth (see House, No. 4317) (which 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.

House bills
Relative to funeral home vehicle lights (House, No. 3390);
Relative to electing water commissioners in the town of Harvard (House, No. 3997);

Establishing the town of Acton energy efficiency fund (House, No. 4106); and

Relative to the accounting of public employee retirement systems (House, No. 4270);

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.

Retirement
rights.

The House Bill relative to certain retirement rights (House, No. 4271) (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.

Pending the question on passing the bill to be engrossed, Mr. Scibak of South Hadley moved to amend it by adding the following four sections:

“SECTION 2. The last paragraph of section 56 of chapter 176 of the acts of 2011 is hereby amended by striking out the words ‘November 30, 2012’, inserted by section 43 of chapter 36 of the acts of 2011, and inserting in place thereof the following words:— April 15, 2013.

SECTION 3. The last paragraph of section 58 of said chapter 176 is hereby amended by striking out the words ‘November 30, 2012’, inserted by section 44 of said chapter 36, and inserting in place thereof the following words:— December 20, 2012.

SECTION 4. The last paragraph of section 59 of said chapter 176 is hereby amended by striking out the words ‘October 1, 2012’ and inserting in place thereof the following words:— March 15, 2013.

SECTION 5. Section 62 of said chapter 176 is hereby amended by striking out the words 'October 15, 2012' and inserting in place thereof the following words:—January 11, 2013.'; and by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith extensions of reporting dates for certain commissions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendments were adopted; and the bill (House, No. 4271, amended) 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 Monday next at eleven o'clock A.M. Next sitting.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (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.

Monday, November 5, 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.

Message from the Governor.

Drug
laboratory
breach,—
supplemental
appropriations.

A message from His Excellency the Governor recommending legislation relative to making an appropriation for the fiscal year 2013 to provide for investigation and response costs related to the breach at the drug analysis laboratory at the Dr. William A. Hinton State Laboratory Institute (House, No. 4489), was filed in the office of the Clerk on Thursday, November 1, 2012.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Ways and Means.

Resolutions.

Rose
Napolitano.

Resolutions (filed by Ms. Reinstein of Revere) congratulating Rose Napolitano on the joyous occasion of her eightieth birthday, 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. 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.

Annual Report.

Sexually
dangerous
persons.

The annual report of the Department of Correction (under the provisions of Section 16 of Chapter 123A of the General Laws) relative to sexually dangerous persons [copy of said report forwarded to the committee on Ways and Means, as required by law], was placed on file.

Paper from the Senate.

Falmouth,—
land.

The engrossed Bill authorizing the Falmouth Retirement Board to acquire real property in the town of Falmouth (see House, No. 4317), came from the Senate with the endorsement that it had been amended by said branch by inserting before the enacted clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Falmouth retirement board to acquire real property in the town of Falmouth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mr. Madden of Nantucket, 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.

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 joint petition of Tom Sannicandro and Karen E. Spilka for legislation to establish a sick leave bank for Wendy Watts, an employee of the Executive Office of Health and Human Services. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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.

Wendy Watts,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a recommitted petition, a Bill exempting certain positions in the town of Milton from the civil service law (Senate, No. 2368) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Milton,—
civil
service.

Emergency Measure.

The engrossed authorizing the Falmouth Retirement Board to acquire real property in the town of Falmouth (see House, No. 4317, 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.

Falmouth,—
land.

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 4 to 0. Sent to the Senate for concurrence.

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.

Bill
enacted.

Engrossed Bills.

The engrossed Bill establishing a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services (see House, No. 4450, amended) (which 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.

Bill
enacted.

The engrossed Bill relative to the collection of estimated water assessments and general fund reimbursement in the town of Charlton (see House, No. 4203) (which originated in the House), 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.

Id.

Orders of the Day.

Third
reading
bill.

The House Bill designating a certain traffic circle in the town of Freetown as the Navy Petty Officer Second Class Tyler J. Trahan memorial roundabout (House, No. 1784) (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.

Order.

Next
sitting.

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.

At a twenty-four minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (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.

Thursday, November 8, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Mr. DeLeo of Winthrop) honoring George J. Salah on the joyous occasion of his eighty-ninth birthday; George J. Salah.

Resolutions (filed by Messrs. deMacedo of Plymouth and Calter of Kingston) congratulating Alexander Thomas Corben on receiving the Eagle Award of the Boy Scouts of America; Alexander Corben.

Resolutions (filed by Messrs. Hecht of Watertown and Lawn of Watertown) congratulating the Taxiarchae/Archangels Greek Orthodox Church on its seventy-fifth anniversary; and Taxiarchae/Archangels Church.

Resolutions (filed by Representatives Winslow of Norfolk and Garlick of Needham) congratulating Sam Marble on receiving the Eagle Award of the Boy Scouts of America; Sam Marble.

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.

Annual Report.

The first annual report of the Massachusetts Gaming Commission (under Section 70 of Chapter 23K of the General Laws) submitting a complete and detailed report of the commission's activities, including a review of the implementation and enforcement of and the governance structure established by said law, was placed on file. Gaming Commission.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Scibak of South Hadley and Senator Knapik, a joint petition (accompanied by bill, House, No. 4494) of John W. Scibak and Michael R. Knapik (with the approval of the mayor and city council) for legislation to authorize the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises. Easthampton,—alcoholic beverages.

By the same members, a joint petition (accompanied by bill, House, No. 4495) of John W. Scibak and Michael R. Knapik (with the approval of the mayor and city council) for legislation to authorize the Id.

city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises.

Severally to the committee on Consumer Protection and Professional Licensure.

West
Springfield,—
police chief.

By Mr. Finn of West Springfield, a petition (accompanied by bill, House, No. 4496) of Michael J. Finn (with the approval of the mayor and town council) for legislation to exempt the position of chief of police of the city known as the town of West Springfield from certain provisions of the civil service law. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Absentee
ballots.

By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe relative to absentee ballots.

Cape Cod,—
fire
district.

By Mr. Atsalis of Barnstable, a petition (subject to Joint Rule 12) of Demetrius J. Atsalis for legislation to authorize the Centerville-Oster-ville-Marston Mills Fire District to fund certain libraries in said district.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Fairhaven,—
liquor
license.

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4293) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 14, inserting after the word “act.” the following paragraph:

“Upon issuance of the license authorized in this act, Total Confections, LLC shall surrender to the licensing authority the license it currently holds for the sale of wines and malt beverages not to be drunk on the premises.”

Under suspension of Rule 35, on motion of Mr. Straus of Mattapoisett, 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.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

Malden
speed
limits,—
extension
of time for
reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Monday, December 3, 2012 within which to make its final report on current Senate document numbered 2448 relative to speed limits in Malden.

Under suspension of the rules, on motion of Mr. Straus of Mattapoisett, the order was considered forthwith; and it was adopted, in concurrence.

Lori
Roche,—
sick leave
bank.

A petition (accompanied by bill) of Therese Murray, Susan Williams Gifford, Randy Hunt and David T. Viera for legislation to establish a sick leave bank for Lori Roche, an employee of the Department of Children and Families, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2450) was referred, in concurrence, to the committee on Public Service.

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 Todd M. Smola for legislation to establish a sick leave bank for Scott Giroux, an employee of the Department of Mental Health. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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.

Scott
Giroux,—
sick leave
bank.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on a petition, a Bill validating the acts and proceedings at a special town election in the town of Templeton (House, No. 4462) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Templeton,—
special
election.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Barbara A. Diciaro, an employee of the Massachusetts Department of Transportation (House, No. 4488). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Barbara A.
Diciaro,—
sick leave
bank.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, No. 1759, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of a certain House document concerning energy issues (House, No. 4491).

Energy
issues,—
study.

By the same member, for the same committee, on House, No. 1775, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of a certain House document concerning energy issues (House, No. 4492).

Id.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 914, 1798, 2639, 2644, 2657 and 3244, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning transportation issues (House, No. 4493).

Transportation
issues,—
study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

Bill
enacted.

The engrossed Bill designating a certain corner in the town of Watertown as Menton Corner (see House, No. 4287) (which originated in the House), 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.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Ms. Ehrlich of Marblehead moved that when the House adjourns today, it do so in respect to the memory of Lawrence R. Alexander, a member of the House from Marblehead from 1979 to 1990, inclusive; and the motion prevailed.

Accordingly, at a quarter after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Ms. Reinstein of Revere being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.

Tuesday, November 13, 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.

Resolutions.

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

Resolutions (filed by Representatives Rushing of Boston, Fox of Boston and Walz of Boston) congratulating David Eppstein for his support of Fenway Community Development Corporation's efforts to create institutional community partnerships; David Eppstein.

Resolutions (filed by Representatives Sánchez of Boston and Malia of Boston) honoring Nancy Doherty and her many accomplishments as a Jamaica Plain resident and activist; and Nancy Doherty.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Marion Thomson Gentry on the occasion of her one hundredth birthday; Marion Gentry.

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 Mr. O'Day of West Boylston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Merrimack Valley Regional Transit Authority (see section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2012, was placed on file. Merrimack Valley Transit Authority.

Petitions.

Petitions severally were presented and referred as follows:

By Representative Fernandes of Milford and Senator Moore, a joint petition (subject to Joint Rule 12) of John V. Fernandes and Richard T. Moore relative to the purchase of prostate cancer medication. Prostate cancer,—medication.

By Representative Haddad of Somerset and Senator Rodrigues, a joint petition (subject to Joint Rule 12) of Patricia A. Haddad and Michael J. Rodrigues for legislation to establish a sick leave bank for Judith Rocha, an employee of the Department of Children and Families. Judith Rocha,—sick leave.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill establishing a sick leave bank for Gary Vuolo, an employee of the Department of Correction (Senate, No. 2449) (on a petition), Gary Vuolo,—sick leave bank.

Gary Vuolo,—
sick leave
bank.

passed to be engrossed by the Senate, was read; and it was 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.

Middlebor-
ough,—
consultants.

A Bill authorizing the rent board of the town of Middleborough to impose fees for the employment of outside consultants (Senate, No. 2433) (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.

Wendy
Watts,—
sick leave
bank.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Wendy Watts, an employee of the Executive Office of Health and Human Services (House, No. 4497). 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 matter be scheduled for consideration by the House.

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

Reports

Scituate,—
Frank M.
Hynes
station.

Of the committee on Transportation, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill House, No. 4321) of James M. Cantwell and Viriato Manuel deMacedo relative to designating a certain train station in the town of Scituate as the Frank M. Hynes Station at Greenbush; and

Fitchburg,—
Bourque
bridge.

Of the same committee, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill House, No. 4458) of Stephen L. DiNatale and Jennifer L. Flanagan relative to designating a certain bridge in the city of Fitchburg in honor of George J. Bourque;

Under suspension of the rules, in each instance, on a motion of Mr. Straus of Mattapoisett, the reports were considered forthwith. Pending the question, in each instance, on acceptance of the reports, the petitions were recommitted, on further motions of the same member.

Election
laws
issues,—
study.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on House, No. 3998, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning election laws issues (House, No. 4498) [Representative Lombardo of Billerica dissenting].

Taxation
issues,—
study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 4036, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document concerning taxation issues (House, No. 4499).

Energy
issues,—
study.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, No. 4038, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of a certain House document con-

cerning energy issues (House, No. 4500) [Representative Hunt of Sandwich dissenting].

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bill.

The engrossed Bill authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 4293, amended) (which originated in the House), 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.

Bill
enacted.

Orders of the Day.

House bills

Relative to commuter shuttles and public transportation improvements (House, No. 901) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Establishing a sick leave bank for Wayne Murry, an employee of the Massachusetts Department of Transportation (House, No. 4481) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Barbara A. Dichiaro, an employee of the Massachusetts Department of Transportation (House, No. 4488);

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.

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 a twelve minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Thursday, November 15, 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.

Silent Prayer.

Joseph D.
Early.

At the request of the Chair (Mr. Donato), the members, guests and employees stood in a moment of silent prayer in respect to the memory of Joseph D. Early a member of the House from Worcester from 1963 to 1974, inclusive; and a member of the United States Congress representing the Third Congressional District of Massachusetts from 1975 to 1992, inclusive.

Resolutions.

Chanukah.

Resolutions (filed by Ms. Balsler of Newton) commemorating the celebration of Chanukah 2012, 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 Mr. Galvin of Canton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Appointment to a Task Force.

Foreclosure
Impact
Task
Force.

The Minority Leader announced that he had appointed Julieann M. Thurlow, President & Chief Executive Officer of Reading Co-Operative Bank to serve as his designee on the task force established (under Section 4 of Chapter 194 of the Acts of 2012) to make an investigation and study of ways in which the Commonwealth can encourage the prevention of unnecessary vacancies following foreclosures.

Papers from the Senate.

Medway,—
roads.

A Bill relative to municipal acceptance of roads within a subdivision in the town of Medway (Senate, No. 2348) (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.

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.

James A.
O'Connor,—

A petition (accompanied by bill) of Sal N. DiDomenico, Thomas M. McGee and Donald H. Wong for legislation to establish a sick leave

bank for James A. O'Connor, an employee of the Division of Professional Licensure, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service. sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2452) was referred, in concurrence, to the committee on Public Service.

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 following petitions;

Petition (accompanied by bill) of John V. Fernandes and Richard T. Moore relative to the purchase of prostate cancer medication. To the committee on Public Health. Prostate cancer medication.

Petition (accompanied by bill) of Patricia A. Haddad and Michael J. Rodrigues for legislation to establish a sick leave bank for Judith Rocha, an employee of the Department of Children and Families. To the committee on Public Service. Judith Rocha,—sick leave bank.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting certain positions in the town of Milton from the civil service law (printed as Senate, No. 2368) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Milton,—civil service.

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 Mr. Kafka, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 1146, 1166, 2751 and 3276, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning mercury management, a local issue and agriculture issues (House, No. 4501) . Environment, Natural Resources and Agriculture,—study.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 866, 871, 1768, 2623, 2625 and 3056, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning telecommunications, utilities and energy issues (House, No. 4502). Energy issues,—study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bill.

Bill
enacted.

The engrossed Bill establishing the position of deputy chief of the Stoughton Police Department and exempting the position from the civil service laws (see House, No. 4417) (which originated in the House), 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.

Third
reading
bills.

Senate bills

Relative to the charter of the town of Plymouth (Senate, No. 2295) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Gary Vuolo, an employee of the Department of Correction (Senate, No. 2449);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Id.

House bills

Relative to wastewater treatments in the city of Fall River (House, No. 4430); and

Establishing a sick leave bank for Wendy Watts, an employee of the Executive Office of Health and Human Services (House, No. 4497) (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,—

Next
sitting.

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

Messrs. Mahoney of Worcester, Binienda of Worcester, Fresolo of Worcester and O'Day of West Boylston moved that when the House adjourns today, it do so in respect to the memory of Joseph D. Early, a member of the House from Worcester from 1963 to 1974, inclusive; and a member of the United States Congress representing the Third Congressional District of Massachusetts from 1975 to 1992, inclusive, and the motion prevailed.

Accordingly, at a quarter after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.

Monday, November 19, 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.

Resolutions.

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

Resolutions (filed by Mr. Diehl of Whitman) recognizing firefighter/EMT-1 Donald M. Farrell for a distinguished thirty-five year career serving the town of Abington; and Donald M. Farrell.

Resolutions (filed by Representatives Winslow of Norfolk and Garkick of Needham) congratulating Mitchell S. Ward on receiving the Eagle Award of the Boy Scouts of America; Mitchell S. Ward.

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 Nantucket Regional Transit Authority (see section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year 2012; and Nantucket Transit Authority.

From the Massachusetts Technology Development Corporation (MassVentures) (under Section 6 of Chapter 40G of the General Laws) submitting its annual report for the fiscal year 2012; Technology Development Corporation.

Severally were placed on file.

Papers from the Senate.

The House Bill designating a certain roundabout in the town of Freetown as the Navy Petty Officer Second Class Tyler J. Trahan Memorial Roundabout (House, No. 1784), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting before the enacting clause the following emergency preamble: Freetown,—
Trahan
Memorial
Roundabout.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith the roundabout located at the intersection of County, Chace and Mason roads in the town of Freetown as the Navy Petty Officer Second Class Tyler J. Trahan Memorial Roundabout, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Freetown,—
Trahan
Memorial
Roundabout.

Under suspension of Rule 35, on motion of Mrs. Orrall of Lakeville, 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.

Greenfield,—
alcoholic
beverages.

A petition (accompanied by bill, Senate, No. 2451) of Stanley C. Rosenberg and Denise Andrews (with the approval of the mayor and town council) for legislation to authorize the town of Greenfield to grant an additional license for the sale of wine and malt beverages to be drunk on the premises, was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Reports of Committees.

Middlebor-
ough,—
rent fees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the rent board of the town of Middleborough to impose fees for the employment of outside consultants (Senate, No. 2433) [Local Approval Received], 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.

Charles
River Water
Commission.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the Charles River Water Commission (House, No. 4490). 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 matter be scheduled for consideration by the House.

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

Revenue
issues,—
study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 747, 748, 749, 750, 752, 753, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 766, 767, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 781, 783, 784, 785, 786, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1714, 1715, 1716, 1717, 1718, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1767, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2516, 2517, 2518, 2519, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2552, 2554, 2555, 2556, 2557, 2558, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2982, 2983, 2984, 2985, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3194, 3195, 3196, 3197,

3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3237, 3238, 3239, 3240, 3241, 3242, 3299, 3376, 3391, 3416, 3417, 3555, 3556 and 3557, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning revenue (House, No. 4503). 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.

The engrossed Bill establishing a sick leave bank for Gary Vuolo, an employee of the Department of Correction (see Senate, No. 2449), 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.

Gary Vuolo,—
sick leave bank.

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 6 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Jennifer O’Connell, an employee of the Department of Correction (see House, No. 4479), 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.

Jennifer O’Connell,—
sick leave bank.

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 6 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

Engrossed Bills.

The engrossed Bill validating the actions taken at certain town meetings in the town of Westminster (see House bill printed in House, No. 4354) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Westminster,—
election.

Engrossed bills

Relative to the charter of the town of Plymouth (see Senate, No. 2295) (which originated in the Senate);

Bills

enacted.
Bills
enacted.

Exempting Jeanine J. Bonnayer from the maximum age requirement for applying for civil service appointment as a police officer in the town of Ware (see House, No. 3875); and

Authorizing Adam A. Seguin to take the civil service examination for appointment as a police officer in the town of Ware notwithstanding the maximum age requirement (see House, No. 4470);

(Which severally originated in 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.

Senate bills

Designating a certain bridge in the town of Billerica as the Helen Knight bridge (Senate, No. 2305);

Authorizing the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2353); and

Authorizing the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2420, amended);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Designating that portion of Route 9 from the city of Northampton to the city of Pittsfield as the Marine Corps League highway (House, No. 3637);

Relative to water storage in the city of Fall River (House, No. 4431);

Validating the acts and proceedings at a special town election in the town of Templeton (House, No. 4462); and

Relative to the sale of alcoholic beverages in the city of Somerville (House, No. 4468);

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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next
sitting.

At a twenty-two minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.

Wednesday, November 21, 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.

Resolutions.

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

Resolutions (filed by Mrs. Ferguson of Holden) congratulating Wendy Pape on her retirement from the Princeton Public Library; Wendy Pape.

Resolutions (filed by Ms. Gobi of Spencer) honoring John J. "Buddy" Lane on his lifetime of dedicated service to the citizens of North Brookfield; and John J. Lane.

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Kenneth Holmes on his elevation to the rank of Eagle Scout; Kenneth Holmes.

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

Petition.

Mr. Lombardo of Billerica presented a petition (accompanied by bill, House, No. 4507) of Marc T. Lombardo (by vote of the town) that certain building maintenance employees in the police department of the town of Billerica be exempt from the civil service law; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence. Billerica,—civil service.

Papers from the Senate.

A Bill establishing a sick leave bank for Lori Roche, an employee of the Department of Children and Families (Senate, No. 2450, amended by inserting before the enacting clause the following emergency preamble: Lori Roche,—sick leave.

"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 department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition), passed to be engrossed by the Senate, was read; and it was 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.

Lori
Roche,—
sick leave.

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

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Daniel
Hermanski,—
sick leave.

Petition (accompanied by bill, Senate, No. 2353) of Benjamin B. Downing and Tricia Farley-Bouvier for legislation to establish a sick leave bank for Daniel Hermanski, an employee of the Department of Transportation.

Susan
Sciola,—
sick leave.

Petition (accompanied by bill, Senate, No. 2354) of Benjamin B. Downing and Tricia Farley-Bouvier for legislation to establish a sick leave bank for Susan Sciola, an employee of the Department of Revenue.

Severally to the committee on Public Service.

Reports of Committees.

Templeton,—
town
meeting.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to town meeting warrants in the town of Templeton (House, No. 4484) [Local Approval Received]. 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 matter be scheduled for consideration by the House.

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

Mansfield,
Foxborough,
and Norton
wastewater
district.

By Ms. Spiliotis of Peabody, for the committee on Municipalities and Regional Government, on a petition, a Bill to amend the regional wastewater district enabling act for the towns of Mansfield, Foxborough and Norton (House, No. 4487). 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 matter be scheduled for consideration by the House.

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

West
Springfield,—
civil
service.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting the position of chief of police of the town of West Springfield from the provisions of the civil service law (House, No. 4496) [Local Approval Received].

Scott
Giroux,—
sick leave
bank.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Scott Giroux, an employee of the Department of Mental Health (House, No. 4504).

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

Emergency Measures.

Tyler J.
Trahan,—
roundabout.

The engrossed Bill designating a certain roundabout in the town of Freetown as the Navy Petty Officer Second Class Tyler J. Trahan Memo-

rial Roundabout (see House, No. 1784, 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 5 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

Engrossed Bills.

Engrossed bills

Designating a certain bridge in the town of Billerica as the Helen Knight Bridge (see Senate, No. 2305);

Bills enacted.

Authorizing the town of Seekonk to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2353); and

Authorizing the town of Seekonk to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2420, amended);

(Which severally originated in Senate); and

Relative to the funding of collective bargaining agreements in the town of North Andover (House, No. 3591) (which 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 designating a certain state-owned bridge in the town of Randolph as the Charles L. Bowley memorial bridge (House, No. 1815) (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.

Third reading bill.

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.

Mr. Cusack of Braintree then moved that when the House adjourns today, it do so in respect to the memory of Robert E. Frazier, a member of the House from Braintree in 1973 and 1974; and the motion prevailed.

Accordingly, at sixteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.

Monday, November 26, 2012.

Met at five minutes after 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.

Papers from the Senate.

Arlington,—
wireless
antenna
leases.

A Bill authorizing the town of Arlington to establish a separate account for proceeds from wireless communications antenna leases (Senate, No. 2304) (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.

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.

Yolanda
Marrero,—
sick leave.

A petition (accompanied by bill) of Michael O. Moore and John P. Fresolo for legislation to establish a sick leave bank for Yolanda Marrero, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2455) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

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:

West
Springfield,—
police chief.

Exempting the position of chief of police of the town of West Springfield from the provisions of the civil service law (House, No. 4496) [Local Approval Received]; and

Scott
Giroux,—
sick leave.

Establishing a sick leave bank for Scott Giroux, an employee of the Department of Mental Health (House, No. 4504);

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.

Judith
Rocha,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Judith Rocha, an employee of the Department of Children and Families (House, No. 4512). 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 matter be scheduled for consideration by the House.

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

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on House, No. 991, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of a certain House document concerning motor vehicle repair shop issues (House, No. 4508).

Motor vehicle repair shop issues,— study.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, Nos. 286 and 290 and House, Nos. 183 and 3268, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain Senate and House documents concerning nursing homes and other elder affairs related issues (House, No. 4509).

Nursing homes and elder affairs issues,— study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 648, 660, 1553, 1558, 2406, 2909, 3371 and 3548, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety issues (House, No. 4510).

Public safety issues,— study.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 883, 890, 1763, 1773, 2603, 2604 and 3050, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning bottle deposit law issues (House, No. 4511) [Senators Downing, Eldridge and Pacheco, and Representatives Chan of Quincy, Hogan of Stow, Rogers of Norwood and Timilty of Milton, dissenting].

Bottle deposit law issues,— study.

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

The engrossed Bill exempting the positions of plumbing inspector and gas fitting inspector in the city of Newburyport from the civil service law (see House, No. 3848, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill authorizing the Boston Fire Department to train and certify fire service personnel in the city of Boston (see House, No. 2389) (which originated in the House), 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.

Bill enacted.

Orders of the Day.

Third
reading
bill.

The House Bill relative to financial services contracts for dental benefits corporations (House, No. 4265), 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. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

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

At a quarter after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (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.

Thursday, November 29, 2012.

Met at six minutes after eleven o'clock A.M., in an Informal Session.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Silent Prayer.

At the request of the Speaker, the members, guests and employees stood in a moment of silent prayer in respect to the memory of Representative Joyce A. Spiliotis a member of the House from Peabody from 2003 until her passing early this morning. Representative Joyce A. Spiliotis.

Communications.

Communications
From the Community Economic Development Assistance Corporation (see Section 6 of Chapter 40H of the General Laws) submitting its annual report of its activities for the fiscal year 2011 [sic]; CEDAC,—annual report.

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 fire promotional lists which have been revoked as of November 1, 2012; and Fire lists,—revocation.

From the Executive Office of Housing and Economic Development submitting the 2012 Supporting the Creative Industries of Massachusetts report; Creative industries.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Markey of Dartmouth, a petition (subject to Joint Rule 12) of Christopher M. Markey relative to the town of Dartmouth Fire District No. 1. Dartmouth,—fire district.

Representatives Scibak of South Hadley and Story of Amherst presented a petition (subject Joint Rule 12) of John W. Scibak and Ellen Story for legislation to establish a sick leave bank for Laura Flowers, an employee of the Department of Children and Families. Laura Flowers,—sick leave.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A Bill establishing a sick leave bank for James A. O'Connor, an employee of the Division of Professional Licensure (Senate, No. 2452, amended in lines 3, 4 and 9 by striking out the words "of professional licensure" each time it appears (as changed by the Senate committee on Bills in the Third Reading); and in line 6 by striking out the word "office" and inserting in place thereof the word "division") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. James A. O'Connor,—sick leave.

Reports of Committees.

Public school issues,— study.

By Ms. Peisch of Wellesley, for the committee on Education, on House, Nos. 1065, 1588, 3674, 3680 and 3846, an Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning public school issues (House, No. 4513).

Nursing homes and elder affairs issues,— study.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, Nos. 275 and 278 and House, No. 1097, an Order relative to authorizing the committee on Elder Affairs to make an investigation and study of certain Senate and House documents concerning nursing homes, assisted living and other elder affairs related issues (House, No. 4514).

Casino referenda issues,— study.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on House, Nos. 4049, an Order relative to authorizing the committee on Election Laws to make an investigation and study of a certain House document concerning casino referenda issues (House, No. 4515) [Representative Andrews of Orange dissenting].

Property and disability insurance issues,— study.

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, Nos. 413, 443 and 445 and House, Nos. 293, 311 and 1173, an Order relative to authorizing the committee on Financial Services to make an investigation and study of certain Senate and House documents concerning property and disability insurance (House, No. 4505).

Municipal issues,— study.

By Ms. Spiliotis of Peabody [report submitted prior to her passing], for the committee on Municipalities and Regional Government, on House, Nos. 575, 580, 1448, 1449, 1454, 3102, 3745 and 4051, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipal issues (House, No. 4516).

Pittsfield traffic safety issues,— study.

By the same member [report submitted prior to her passing], for the same committee, on House, No. 3317, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of a certain House document concerning Pittsfield traffic safety issues (House, No. 4517).

Taxation issues,— study.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 3272 and 4143, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain House documents concerning taxation issues (House, No. 4518).

Administration and regulatory oversight issues,— study.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 825, 830, 833, 835, 838, 839, 841, 845, 848, 850, 852, 853, 854, 1734, 1738, 1739, 1741, 1746, 1750, 1751, 1752, 1852, 2307, 2572, 2574, 2578, 2581, 2583, 2584, 2585, 2586, 2588, 2594, 2595, 2596, 2599, 2600, 2773, 3028, 3030, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3042, 3206, 3207, 3208, 3243, 3378, 3418, 3604, 3605, 3606, 3608 and 3609, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain House documents concerning state administration and regulatory oversight issues (House, No. 4519).

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Order.

On motion of Mr. Donato of Medford,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

Mr. Spiliotis of Danvers then moved that as a mark of respect to the memory of Representative Joyce A. Spiliotis, a member of the House from Peabody from 2003 to present, who passed away this morning, the House adjourn; and the motion prevailed.

Accordingly at nine minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough, the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.

Friday, November 30, 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.

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

Jeremy
Ham.

Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and Kafka of Stoughton) congratulating Jeremy Ham on receiving the Eagle Scout Award of the Boy Scouts of America;

Nashoba
Valley
Chabad.

Resolutions (filed by Mr. Arciero of Westford) commencing the 2012 celebration of Chanukah by Chabad of Nashoba Valley; and

Dennis
William
Looney.

Resolutions (filed by Mr. Brady of Brockton) congratulating Dennis William Looney on his retirement from the Department of Developmental Service;

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

Papers from the Senate.

Revere,—
plaza.

The House Bill designating a certain area in the city of Revere as the Peter E. McCauley Memorial Plaza (House, No. 4456) (its title having been changed by the Senate committee on Bills in the Third Reading), 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 following:

“SECTION 1. The area between pavilions numbered 3 and 4, located on Revere Beach Boulevard near its intersection with Chester avenue in the city of Revere shall be designated and known as the Peter E. McCauley Memorial Plaza in honor of Revere historian Peter E. McCauley. The department of conservation and recreation shall erect and maintain a suitable marker on the clock located between the 2 pavilions bearing that designation in compliance with the standards of the department.

SECTION 2. Said pavilions numbered 3 and 4 shall be designated and known as the Peter E. McCauley Memorial Pavilions in his honor. The department of conservation and recreation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department.”.

Under suspension of Rule 35, on motion of Ms. Reinstein of Revere, 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.

The petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2458) of Thomas M. McGee, Steven M. Walsh and Robert F. Fennell for legislation to establish a sick leave bank for Donna DelCore, an employee of the Department of Developmental Services. Donna DelCore,—sick leave.

Petition (accompanied by bill, Senate, No. 2460) of John A. Hart, Jr., and Nick Collins for legislation to amend retirement beneficiaries of Dennis Mullen. Dennis Mullen,—beneficiaries.

Petition (accompanied by bill, Senate, No. 2461) of John A. Hart, Jr., for legislation to establish a sick leave bank for Betty Garcia, an employee of the Department of Transitional Assistance. Betty Garcia,—sick leave.

Petition (accompanied by bill, Senate, No. 2459) Robert L. Hedlund, Ronald Mariano and James M. Murphy for legislation to establish a sick leave bank for Donald Mahoney, an employee of the Department of Correction. Donald Mahoney,—sick leave.

Severally to the committee on Public Service.

Petition (accompanied by bill, Senate, No. 2462) of John A. Hart, Jr., for legislation to allow veterans leave to attend VA medical appointments. To the committee on Veterans and Federal Affairs. Veterans,—medical appointments.

Reports of Committees.

By Mr. Kafka of Stoughton for the committee on Steering, Policy and Scheduling that the Senate Bill establishing a sick leave bank for James A. O'Connor, an employee of the Division of Professional Licensure (Senate, No. 2452, amended), be scheduled for consideration by the House. James A. O'Connor,—sick leave bank.

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

Reports

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. 4308) of David M. Torrisi and Bruce E. Tarr (by vote of the town) for legislation to authorize the town of North Andover to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premise; and North Andover,—liquor license.

Of the same committee on, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4437) of Theodore C. Speliotis and Bradford Hill (by vote of the town) relative to authorizing the town of Topsfield to issue an additional license for the sale of bottled wine not to be drunk on the premises to Alfalfa Farm Winery; Topsfield,—liquor license.

Under suspension of the rules, in each instance, on a motion of Mr. Speliotis of Danvers, the reports were considered forthwith. Pending the question, in each instance, on acceptance of the report, the petitions were recommitted, on motions of the same member.

Cotuit
Fire
District.

Report of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the joint petition (accompanied by bill, House, No. 4485) of David T. Vieira and others relative to the elected officials of the Cotuit Fire District. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Sudbury,—
selectmen.

By Mr. Michlewitz of Boston, for the committee on Election Laws, on House, No. 4471, a Bill amending Chapter 131 of the Acts of 1994 to increase board of selectmen membership in the town of Sudbury from three to five (House, No. 4528) [Local Approval Received].

Fitchburg,—
Bourque
bridge.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a recommitted petition, a Bill designating a certain bridge in the city of Fitchburg The George J. Bourque Memorial Bridge (House, No. 4458).

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

Boston and
Dedham,—
police
jurisdiction.

Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning matters relative to public safety (House, No. 4472), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3632) of Angelo M. Scaccia, Russell E. Holmes and Michael F. Rush relative to the authority of police officers of the city of Boston and the town of Dedham,— and recommending that the same be recommitted to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted.

Mandated
reporter
definition,—
study.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on House, No. 3902, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning the mandated reporter definition (House, No. 4520).

DMH and
DDS
facilities,—
study.

By the same member, for the same committee, on House, No. 4181, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain House document concerning monitoring DMH and DDS facilities issues (House, No. 4521).

Judiciary,—
study.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, Nos. 1745 and 4480, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning judiciary issues (House, No. 4522).

Public
health,—
study.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, No. 259, an Order relative to authorizing the committee on Public Health to make an investigation and study of a certain House document concerning public health issues (House, No. 4523).

Public
safety
issues,—
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 1554, 1566, 1568 and 2391, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety issues (House, No. 4529).

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 821, 828, 1735, 1736, 1737, 1753, 2587, 3031, 3040, 3041, 3043 and 3209, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain House documents concerning public records issues (House, No. 4524).

Public records issues,—study.

By Mr. Keenan of Salem, for the committee on Telecommunications, Utilities and Energy, on House, No. 4216, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of a certain House document concerning telecommunications issues (House, No. 4525).

Telecommunications,—study.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, Nos. 1803, 2654, 3248 and 4011, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning transportation issues (House, No. 4526).

Transportation issues,—study

Severally 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 orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Engrossed Bills.

Engrossed bills

Designating 2 pavilions in the city of Revere as the Norman Gautreau Pavilions (see House, No. 4457); and

Bills enacted.

Validating the acts and proceedings at a special town election in the town of Templeton (see House, No. 4462);

(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 Senate Bill further regulating certain town meeting notices in the town of Belmont (Senate, No. 2223), 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.

Third reading bill.

House bills

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

Third reading bills.

Regulating the grant of sewer system connections by the board of sewer commissioners of the town of Kingston (House, No. 4310);

Designating a certain tax revenue in the town of Wareham (House, No. 4390); and

Relative to the Regional Wastewater District Enabling Act for the towns of Mansfield, Foxborough and Norton (House, No. 4487) (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.

Third reading
bill amended.

The House Bill relative to the charter of the town of Chatham (House, No. 4473), was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out section 10 (as published) and inserting in place thereof the following section:

“SECTION 12. Part VI of said charter is hereby amended by striking out section 5-2 and inserting in place thereof the following section:—

Section 5-2. Sunset Provision.

Annually, the board of selectmen shall consider the administrative and practical needs of all town boards, commissions and committees under their jurisdiction. During the course of such consideration the board of selectmen shall review whether each board, commission or committee has a defined purpose or functions or if there is another possible method of achieving the mission of the board, commission or committee. If board of selectmen determines that any board, commission or committee does not appear to serve a purpose or another method of achieving the board, commission or committee’s mission is desirable, the board of selectmen shall hold a public hearing and take any action deemed necessary.

All boards, committees or commissions shall annually on a date determined by the board of selectmen submit a report of activities, achievements and other information to the board of selectmen.”; and by striking out section 12 (as published) and inserting in place thereof the following section:

“SECTION 17. Part VI of said charter is hereby amended by striking out section 6-1 and inserting in place thereof the following section:—

Section 6-1. Budget Process.

At the onset of the annual budget process, the town manager shall meet with the board of selectmen, the school committee and the finance committee to discuss the upcoming operating and capital budgets.

Within a time fixed by bylaw prior to the annual meeting, the town manager shall submit to the board of selectmen and finance committee a proposed operating and capital budget for all town departments, including the operating and capital budgets as adopted by the school committee, for the ensuing fiscal year with an accompanying budget message and supporting documents.

The budget as adopted by the school committee shall be submitted to the town manager in sufficient time to enable the town manager to consider the effect of the school department’s requested appropriation on the total town budget which is required to be submitted under this section.

The budget message submitted by the town manager shall explain the budget in fiscal terms and in terms of work programs. It shall outline the proposed fiscal policies of the town for the ensuing fiscal year; describe important features of the proposed budget and indicate any major variations from the current budget, fiscal policies, expenditures and revenues together with reasons for change. The proposed budget shall provide a complete fiscal plan of all town funds and activities and shall be in the form the board of selectmen deems desirable.

Upon receipt of the town manager’s proposed operating budget, the board of selectmen shall announce the date on which they intend to act on the budget, but in no case earlier than 30 days after receipt.”. The report was accepted.

The amendments were adopted; and the bill (House, No. 4473, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing a sick leave bank for Judith Rocha, an employee of the Department of Children and Families (House, No. 4512), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Judith Rocha,—
sick leave
bank.

Pending the question on passing the bill to be engrossed, Mrs. Haddad of Somerset moved to amend it by inserting before the enacting clause 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 department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 4512, amended) was passed to be engrossed. Sent to the Senate for concurrence.

At twenty-nine minutes after eleven o'clock A.M., on motion of Mr. Walsh of Boston (Mr. Donato of Medford being in the Chair), the House recessed until a quarter after twelve o'clock noon; and at twenty-four minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair. Recess.

The House Bill promoting fairness in private construction contracts (House, No. 3158) (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. Private
construction
contracts.

Pending the question on passing the bill to be engrossed, Mr. Collins of Boston moved to amend it by adding the following section:

“SECTION 3. Chapter 239 of the acts of 2012 is hereby amended by striking out section 52 and inserting in place thereof the following section:—

SECTION 52. A person licensed pursuant to section 84 of chapter 146 of the General Laws and who submits satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that such person has been actively engaged in the process piping industry for a period of 4 years prior to the effective date of this act and who has applied for an addendum to his or her license within 1 year after the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued said addendum to his or her master pipefitter's license upon payment of the applicable fee.

A person licensed pursuant to said section 84 of said chapter 146 and who submits satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that such person has been actively engaged in the process piping industry for a period of 3 years prior to the effective date of this act, shall not be required to pass a written, oral or practical examination and shall be issued an addendum to his or her journeyman's pipefitter's license upon payment of the applicable fee.

Private
construction
contracts.

The department of public safety shall promulgate regulations for said addendums provided pursuant to this section. Any proof required to be submitted under this section shall be accompanied by a statement that such information has been submitted under the pains and penalties of perjury.”; by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for certain construction contracts and addendums to pipefitter licenses, 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 and inserting in place thereof the title: “An Act relative to private construction and providing for an addendum to a pipefitter’s license.”.

The amendments were adopted; and the bill (House, No. 3158, amended) 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 Tuesday next at eleven o’clock A.M.

Next
sitting.

At twenty-six minutes after twelve o’clock noon, on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o’clock A.M., in an Informal Session.

Tuesday, December 4, 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.

Resolutions.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Matthew Preston on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules. Matthew Preston.

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

Quarterly Report.

A quarterly report of the Executive Office of Labor and Workforce Development (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund through September, 2012, was placed on file. Unemployment Trust Fund.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Campbell of Methuen, a petition (accompanied by bill, House, No. 4530) of Linda Dean Campbell (with the approval of the mayor and city council) for legislation to increase the number of members on the Methuen Board of Health from three to five members. To the committee on Municipalities and Regional Government. Methuen,— health board.

By Ms. Campbell of Methuen, a petition (accompanied by bill, House, No. 4531) of Linda Dean Campbell (with the approval of the mayor and city council) relative to the appointment of David J. Eddy to the position of fire fighter in the city of Methuen, notwithstanding the maximum age requirements. To the committee on Public Service. Methuen,— David J. Eddy.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Binienda of Worcester, a petition (subject to Joint Rule 12) of John J. Binienda relative to pension benefits relating to Thomas V. Brennan, Jr. Thomas V. Brennan, Jr.

By Mr. Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato for legislation to increase the membership of the Commission on the Status of Grandparents Raising Grandchildren from 11 to 15 members and to allow for special appointments. Grandparents Commission,— membership.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Wendy
Watts,—
sick leave
bank.

The House Bill establishing a sick leave bank for Wendy Watts, an employee of the Executive Office of Health and Human Services (House, No. 4497), 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 2457; 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 department of youth services, 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 Wendy Watts, an employee of the Department of Youth Services.”.

Under suspension of Rule 35, on motion of Mr. Sannicandro of Ashland, 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.

Interior
designers.

A Bill recognizing the profession of interior designers to bid on state contracts (Senate, No. 2465) (on Senate bill No. 1634), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Susan
Sciola,—
sick leave
bank.

A Bill establishing a sick leave bank for Susan Sciola, an employee of the Department of Revenue (Senate, No. 2454, amended by inserting before the enacting clause 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 department of revenue, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”) (on a petition), 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.

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 following petitions:

Dartmouth
Fire District
No. 1.

Petition (accompanied by bill) of Christopher M. Markey relative to the town of Dartmouth Fire District No. 1. To the committee on Municipalities and Regional Government.

Laura
Flowers,—
sick leave.

Petition (accompanied by bill) of John W. Scibak and Ellen Story for legislation to establish a sick leave bank for Laura Flowers, an employee of the Department of Children and Families. To the committee on Public Service.

Under suspension of the rules, on motion of Mr. O’Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. 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:

Designating a certain bridge in the city of Fitchburg the George J. Bourque memorial bridge (House, No. 4458); and Fitchburg,—
Bourque bridge.

Amending Chapter 131 of the Acts of 1994 to increase board of selectmen membership in the town of Sudbury from three to five (House, No. 4528) [Local Approval Received]; Sudbury,—
selectmen.

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

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting the position of building maintenance craftsperson in the police department of the town of Billerica from the civil service law (House, No. 4507) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Billerica,—
employees.

Engrossed Bills.

Engrossed bills

Further regulating certain town meeting notices in the town of Belmont (see Senate, No. 2223) (which originated in the Senate); Bills
enacted.

Relative to authorizing the town of Aquinnah to refund a certain tax payment (see House, No. 3708); and

Designating a certain area in the city of Revere as the Peter E. McCauley Memorial Plaza (see House, No. 4456, 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.

Orders of the Day.

Senate bills

Authorizing the town of Newbury to use certain fund balances for capital expenditures (Senate, No. 1934); Third
reading
bills.

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

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

Establishing a sick leave bank for Lori Roche, an employee of the Department of Children and Families (Senate, No. 2450, amended); and

Establishing a sick leave bank for James A. O'Connor, an employee of the Division of Professional Licensure (Senate, No. 2452, amended);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were a third time; and they were passed to be engrossed, in concurrence.

The House Bill relative to town meeting warrants in the town of Templeton (House, No. 4484), 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. Sent to the Senate for concurrence. Third
reading
bill.

Recess.

Recess.

At seven minutes before twelve o'clock noon, on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock; and at thirteen minutes after one o'clock P.M. the House was called to order with the Speaker in the Chair.

*Valedictory Addresses.*Valedictory
Addresses.

The following members, who were not returning for the 2013-2014 Legislative Session, then addressed the House regarding their departure from service in the House of Representatives: Representatives Adams of Andover; Bastien of Gardner; Atsalis of Barnstable; Torrisi of North Andover; Wolf of Cambridge and Creedon of Brockton.

Order.

Order.

On motion of Mr. O'Flaherty of Chelsea,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At nineteen minutes after two o'clock P.M., on motion of Ms. Wolf of Cambridge (the Speaker being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

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.

Monday, December 10, 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.

Appointments by the Minority Leader.

The Minority Leader announced that he had made the following appointments:

CITI Fund Advisory Board.

That Representative Bastien of Gardner had been appointed to the CITI Fund Advisory Board established (under subsection 2TTT of Section 112 of Chapter 165 of the Acts of 2012) to provide funding for a collaborative approach to information technology education through a series of open competitions for grants to K-20 educational institutions;

Registry of deeds modernization and efficiency commission.

That Representative deMacedo of Plymouth had been appointed to the Registry of Deeds Modernization and Efficiency Commission established (under Section 124 of Chapter 165 of the Acts of 2012) for the purpose of identifying best practices and efficiencies for the registries of deeds; and

Families and Children Requiring Assistance Advisory Board.

That Representative Ferguson of Holden had been appointed to the Families and Children Requiring Assistance Advisory Board established (under Section 34 of Chapter 240 of the Acts of 2012) to advise the Secretary of Health and Human Services in designing and implementing a community-based service network and family resource center pilot program and other related functions.

Resolutions.

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

Marilyn Glasier.

Resolutions (filed by Representatives O'Day of West Boylston and Ferguson of Holden) congratulating Marilyn Glasier on her retirement from the Massachusetts Department of Children and Families;

Donna Jerszyk-Hollis.

Resolutions (filed by Representatives O'Day of West Boylston and Ferguson of Holden) congratulating Donna Jerszyk-Hollis on her retirement from the Massachusetts Department of Children and Families; and

West Boylston/Tahanto football team.

Resolutions (filed by Messrs. O'Day of West Boylston and Naughton of Clinton) congratulating the West Boylston/Tahanto High School Lions football team on winning the 2012 Massachusetts Division 5 Super Bowl;

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 Mr. Brodeur of

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

Communication.

A communication from the Norfolk County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law], was placed on file.

Norfolk
County
Registry of
Deeds.

Petition.

Mr. Peterson of Grafton presented a petition (subject Joint Rule 12) of George N. Peterson, Jr., and others relative to firearms license renewal; and the same was referred, under Rule 24, to the committee on Rules.

Firearms
renewal,—
fines.

Paper from the Senate.

A petition (accompanied by bill) of Karen E. Spilka and Carolyn C. Dykema for legislation to establish a sick leave bank for Katrin Fox, an employee of the Massachusetts Department of Transportation, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Katrin
Fox,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2469) was referred, in concurrence, to the committee on Public Service.

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 following petitions:

Petition (accompanied by bill) of Paul J. Donato for legislation to increase the membership of the Commission on the Status of Grandparents Raising Grandchildren from 11 to 15 and to allow for special appointments. To the committee on Children, Families and Persons with Disabilities.

Grandparents
commission,—
membership.

Petition (accompanied by bill) of John J. Binienda relative to pension benefits relating to Thomas V. Brennan, Jr. To the committee on Public Service.

Thomas
Brennan,—
benefits.

Under suspension of the rules, on motion of Ms. Provost of Somerville, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, Nos. 30, 32, 33, 44, 54, 57, 69, 70, 71, 269, 281, 292, 343, 382, 419, 480, 481, 482, 484, 488, 489, 491, 494, 495, 496, 497, 499, 500, 501, 504, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 522, 524, 526, 536, 537, 539, 545, 546, 547, 549, 550, 551, 553, 554, 556, 557, 558, 559, 733, 978, 979, 982, 989, 990, 1079, 1101, 1107, 1118, 1121, 1123, 1235, 1893, 2006, 2057, 2156, 2164, 2167,

Health Care
Financing,—
study.

Health Care
Financing,—
study.

2177, 2181, 2182 and 2210, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of certain Senate documents concerning health care financing issues (House, No. 4537). 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.

Cotuit,—
fire district.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill relative to the Cotuit Fire District (House, No. 4485).

West
Barnstable,—
fire district.

By the same member, for the same committee, on a petition, a Bill relative to the West Barnstable Fire District (House, No. 4527).

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

Emergency Measures.

Dazlee
Alvarado,—
sick leave.

The engrossed Bill establishing a sick leave bank for Dazlee Alvarado, an employee of the Massachusetts Department of Public Health (see House, No. 4474, 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 6 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.

Wayne
Murray,—
sick leave.

The engrossed Bill establishing a sick leave bank for Wayne Murray, an employee of the Highway Division of Massachusetts Department of Transportation (see House, No. 4481, 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 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.

Barbara A.
DiChiaro,—
sick leave.

The engrossed Bill establishing a sick leave bank for Barbara A. DiChiaro, an employee of the Registry of Motor Vehicles (see House, No. 4488, 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 5 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Judith Rocha, an employee of the Department of Children and Families (see House, No. 4512, 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.

Judith Rocha,—
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 5 to 0. Sent to the Senate for concurrence.

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.

Bill enacted.

Engrossed Bills.

Engrossed bills

Establishing the town of Acton Energy Efficiency Fund (see House, No. 4106); and

Bills enacted.

Further regulating the sale of alcoholic beverages in the city of Somerville (see House, No. 4468);

(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 Senate Bill establishing a special fund in the town of Millville (Senate, No. 1879, 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.

Third reading bill.

House bills

Amending the charter of the town of North Andover (House, No. 3592) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

Validating the actions taken at a certain annual town meeting in the town of Blackstone (printed in House, No. 4134) (its title having been changed by the committee on Bills in the Third Reading);

Establishing the position of treasurer-collector in the town of Oakham (House, No. 4232); and

Amending the town charter of Oxford (House, No. 4313);

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.

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 twenty-four minutes after eleven o'clock A.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.

Thursday, December 13, 2012.

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).

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. Pledge of allegiance.

Resolutions.

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

Resolutions (filed by Ms. Garlick of Needham) congratulating Norma J. Cronin on the occasion of her retirement from the town of Medfield; Norma J. Cronin.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating John Gorman Powers on receiving the Eagle Award of the Boy Scouts of America; John Gorman Powers.

Resolutions (filed by Representatives Garlick of Needham and Winslow of Norfolk) congratulating Andrew John Sullivan on receiving the Eagle Award of the Boy Scouts of America; Andrew John Sullivan.

Resolutions (filed by Ms. Hogan of Stow) congratulating Francis Zachary Gjeltema on achieving the rank of Eagle Scout with the Boy Scouts of America; and Francis Zachary Gjeltema.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Michael Eby on his retirement from the Permanent Building Committee in the town of Wellesley; Michael Eby.

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

Petition.

Representative Collins of Boston and Senator Hart presented a joint petition (subject to Joint Rule 12) of Nick Collins and John A. Hart, Jr., for legislation to regulate the granting of temporary licenses for the sale of wines at auctions; and the same was referred, under Rule 24, to the committee on Rules. Auctions,—liquor licenses.

Paper from the Senate.

A Bill authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2468) (on Senate bill No. 2307) [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. Webster,—liquor license.

Webster,—
liquor
license.

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 Ms. Wolf of Cambridge, the bill was read a second time forthwith; and it was ordered to a third reading.

Reports of Committees.

Firearms,—
license
renewal.

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 George N. Peterson, Jr., and others relative to firearms license renewal. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. Sent to the Senate for concurrence.

Billerica,—
civil
service.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill exempting the position of building maintenance craftsman in the police department of the town of Billerica from the civil service law (House, No. 4507) [Local Approval Received], be scheduled for consideration by the House.

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

Laura
Flowers,—
sick leave.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Laura Flowers, an employee of the Department of Children and Families (House, No. 4538). 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 matter be scheduled for consideration by the House.

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

Fall River,—
Andrews
bridge.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain bridge in the city of Fall River in honor [sic] Army Specialist Scott A. Andrews (House, No. 4506). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Retail
stores.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on House, No. 989, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of a certain House document concerning retail store issues (House, No. 4539). 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.

Engrossed Bills.

Engrossed bills

Establishing a special reserve fund in the town of Millville (see Senate, No. 1879, amended) (which originated in the Senate); Bills enacted.

Authorizing property tax exemptions for rental properties in the town of Truro restricted as affordable housing (see House, No. 3489); and

Relative to wastewater treatment in the city of Fall River (see House, No. 4430);

(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.

Senate bills

Authorizing the town of Ashburnham to dispose of certain equipment (Senate, No. 2271); and Third reading bills.

Establishing a sick leave bank for Susan Sciola, an employee of the Department of Revenue (Senate, No. 2454, amended);

Severally reported by the committee on Bills in the Third Reading to correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

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

Providing for recall elections in the town of Wales (House, No. 4281);

Establishing a library building fund for the town of Wales (House, No. 4282) (its title having been changed by the committee on Bills in the Third Reading);

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);

Regulating portable electronics insurance (House, No. 4351);

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); and

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);

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 providing incentives for productive workers compensation audits (House, No. 4357) (its 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.

Workers compensation,— audits.

Pending the question on passing the bill to be engrossed, Mr. Wagner of Chicopee moved to amend it in section 1, in line 8, by striking out the word “shall” and inserting in place thereof the word “may”.

The amendment was adopted; and the bill (House, No. 4357, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Sudbury,—
selectmen.

The House Bill increasing board of selectmen membership in the town of Sudbury from three to five (House, No. 4528) (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.

Pending the question on passing the bill to be engrossed, Mr. Conroy of Wayland moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Notwithstanding any general or special law to the contrary, section 1 shall take effect upon the approval by a majority of registered voters in the town of Sudbury voting on this question at the next ensuing election held as part of the annual town meeting. Upon such approval, additional selectmen shall be elected at either the annual election of 2014 or through a special election, which may be called by the board of selectmen or shall be called by the board of selectmen upon the request in writing of 10 per cent of the total number of registered voters of the town. If the election is held as part of the annual election in March 2014, 3 selectmen shall be elected, 1 for 2 years and 2 for 3 years, with their terms expiring on the last day of the appropriate annual town meetings, and thereafter electing their successors for 3 years. If a special election is held prior to the March 2014 annual election, 2 selectmen shall be elected, 1 for a term of not more than 2 years, ending no later than the last day of annual town meeting in 2015, and 1 for a term of not more than 3 years, ending no later than the last day of annual town meeting in 2016, and thereafter electing their successors for 3 years. Said election shall occur no later than the election held as part of the annual town meeting in 2014.”

The amendment was adopted, and the bill (House, No. 4528, amended) 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 Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-one minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.

Monday, December 17, 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.

Silent Prayer.

At the request of the Chair (Mr. Donato of Medford), the members, guests and employees stood for a moment of silent prayer in honor of the memory of the twenty-six victims of the Sandy Hook Elementary School tragedy in Newtown, Connecticut. Sandy Hook Elementary School.

Communication from Representative Smola.

A communication was received from Representative Todd M. Smola (formerly of the town of Palmer) that he had changed his official place of residence to the town of Warren. Mr. Smola of Warren.

Change in a Joint Standing Committee.

Mr. Rushing of Boston being in the Chair,—
A communication from the Speaker announcing that Representative Donato of Medford had been appointed to the second position on the committee on Municipalities and Regional Government, to fill the existing vacancy, was read; and it was placed on file. Committee change.

Resolutions.

Mr. Donato of Medford being in the Chair,—
The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Marc James Horton on receiving the Eagle Award of the Boy Scouts of America; Marc James Horton.

Resolutions (filed by Mr. Stanley of Waltham) honoring Georgios Papathanasiou, the first Mayor of the Greek Municipality Diou-Olympou for his commitment to Greek American culture; and Georgios Papathanasiou.

Resolutions (filed by Mr. Swan of Springfield) recognizing Tony Taylor as an exceptional citizen whose dedicated services contribute to the Greater Springfield community; Tony Taylor.

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 Mr. Rushing of Boston, 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:

South Hadley,—
collector.

By Representative Scibak of South Hadley and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4547) of John W. Scibak and Stanley C. Rosenberg (by vote of the town) relative to the positions of collector and clerk-treasurer in the town of South Hadley; and

South Hadley,—
government.

By Representative Scibak of South Hadley and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 4548) of John W. Scibak and Stanley C. Rosenberg (by vote of the town) for legislation to establish a selectboard-town administrator form of government in the town of South Hadley;

Severally to the committee on Municipalities and Regional Government.
Severally sent to the Senate for concurrence.

Papers from the Senate.

Agawam,—
civil
service.

The House Bill relative to civil service positions in the city known as the town of Agawam (House, No. 4189) (its title having been changed by the Senate committee on Bills in the Third Reading), 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 following:

“SECTION 1. In the city known as the town of Agawam custodial and maintenance positions shall be exempt from chapter 31 of the General Laws; provided, however, that custodial and maintenance positions considered labor positions shall continue to be governed by said chapter 31.

SECTION 2. This act shall not impair the civil service status of an incumbent employee holding a position on the effective date of this act.”

Under suspension of Rule 35, on motion of Mr. Boldyga of Southwick, 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.

Bills

Bellingham,—
liquor
license.

Authorizing the town of Bellingham to grant an additional license for the sale of wines and malt beverages not to be drunk on premises (Senate, No. 2049) (on a petition) [Local Approval Received];

Yolanda
Marrero.

Establishing a sick leave bank for Yolanda Marrero, an employee of the Trial Court (Senate, No. 2455) (on a petition); and

Donald
Mahoney.

Establishing a sick leave bank for Donald Mahoney, an employee of the Department of Correction (Senate, No. 2471) (on Senate bill No. 2459);

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 petition (accompanied by bill) of Daniel A. Wolf for legislation to establish a sick leave bank for Sarah Bok, an employee of the Trial Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Sarah Bok,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2475) was referred, in concurrence, to the committee on the Judiciary.

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 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. 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.

Margaret C.
Henderson,—
sick leave.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill designating a certain bridge in the city of Fall River in honor [sic] Army Specialist Scott A. Andrews (House, No. 4506), be scheduled for consideration by the House.

Fall River,—
Andrews
bridge.

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. Dempsey of Haverhill, for the committee on Ways and Means, that the following Senate bills ought to pass:

To maintain public water systems (Senate, No. 85, amended); and
To protect public water supply lands (Senate, No. 2371);

Water systems.
Water supply
lands.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill relative to Gold Star Family vanity registration plates (Senate, No. 2096), 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 4541.

Gold Star
Family
license
plates.

By the same member, for the same committee, that the Bill authorizing the establishment of old growth forest reserves (House, No. 236), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4542).

Old growth
forests.

By the same member, for the same committee, that the Bill to create the position of poet laureate for the Commonwealth of Massachusetts (House, No. 891), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4543).

Poet
laureate.

By the same member, for the same committee, that the Bill to protect groundwater levels (House, No. 1168, changed), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4544).

Groundwater
levels.

Tree wardens,— regulate.

By the same member, for the same committee, that the Bill to update the public shade tree law (House, No. 1839), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4545).

Real estate appraisals.

By the same member, for the same committee, that the Bill to regulate real estate appraisal management companies (House, No. 4117), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4546).

Teachers,— background checks.

By the same member, for the same committee, that the Bill relative to background checks (House, No. 4307), ought to pass with amendments in section 5, in line 80, and in section 6, in line 83, by striking out the following: “2FFFF” and inserting in place thereof, in each instance, the following: “2HHHH”; and in section 6, in line 82, by striking out the following: “2EEEE” and inserting in place thereof the following: “2GGGG”.

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

Methuen,— David J. Eddy.

Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill exempting David Eddy from the maximum age requirement for firefighters in the city of Methuen (House, No. 4531) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measures.

Susan Sciola,— sick leave.

The engrossed Bill establishing a sick leave bank for Susan Sciola, an employee of the Department of Revenue (see Senate, No. 2454, 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 10 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.

Authorizing the town of Ashburnham to dispose of certain equipment (see Senate, No. 2271) (which originated in the Senate);

Further regulating the Boston Art Commission (see House, No. 3784);

Establishing the position of Treasurer-Collector in the town of Oakham (see House, No. 4232);

Regulating the grant of sewer system connections by the board of sewer commissioners of the town of Kingston (see House, No. 4310); and

Relative to town meeting warrants in the town of Templeton (see House, No. 4484);

(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 Senate Bill dissolving the redevelopment authority in the town of Wilmington (Senate, No. 2289), 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. Third reading bill.

House bills

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

Relative to vacancies in the office of selectmen in the town of North Andover (House, No. 3832);

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

Designating a certain bridge in the city of Fitchburg as the George J. Bourque memorial bridge (House, No. 4458) (its title having been changed by the committee on Bills in the Third Reading);

Exempting the position of building maintenance craftsperson in the police department of the town of Billerica from the civil service law (House, No. 4507); and

Establishing a sick leave bank for Laura Flowers, an employee of the Department of Children and Families (House, No. 4538);

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.

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 twenty-nine minutes before twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (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.

Thursday, December 20, 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.

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

Eric John
Hanson.

Resolutions (filed by Mr. Calter of Kingston) congratulating Eric John Hanson on receiving the Eagle Award of the Boy Scouts of America;

Patrick
Joseph
Murphy.

Resolutions (filed by Messrs. Linsky of Natick and Winslow of Norfolk) congratulating Patrick Joseph Murphy on receiving the Eagle Award of the Boy Scouts of America; and

Brian
Walsh.

Resolutions (filed by Messrs. Linsky of Natick and Winslow of Norfolk) congratulating Brian Michael Walsh on receiving the Eagle Award of the Boy Scouts of America;

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

Annual and Special Reports.

School
Building
Authority.

The annual report of the Massachusetts School Building Authority (under Section 3D of Chapter 70B of the General Laws) containing financial statements relating to the operations, assets and expenditures of the authority maintained in accordance with generally accepted accounting principles so far as applicable and audited by an independent certified public accountant firm [copies of this report had been sent by said authority to the Speaker of the House of Representatives, the chairpersons of the House and Senate committees on Ways and Means, the House and Senate chairpersons of the joint committee on Education and all other members of the General Court]; and

Hampshire
County Jail,—
inspection.

A 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 the Hampshire County Jail and House of Correction in the town of Northampton;

Severally were placed on file.

Petition.

Matthew
Stuart,—
sick leave.

Mr. Miceli of Wilmington presented a petition (subject Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Matthew Stuart, an employee of the Department of Children and Families; and the same was referred, under Rule 24 to the committee on Rules.

Papers from the Senate.

The House Bill authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (House, No. 3675), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 3, striking out the words "all alcoholic beverages or". Westwood,—
liquor
licenses.

Under suspension of Rule 35, on motion of Mr. McMurtry of Dedham, 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.

The House Bill establishing Commonwealth virtual schools (House, No. 4274), 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 2467. Virtual
schools.

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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.

The Senate Bill further regulating certain reimbursements by the city of Medford to the Water Enterprise Fund (Senate, No. 2474) (on Senate bill No. 2017) [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. Medford,—
Water
Enterprise
Fund.

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.

Subsequently under suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill (having been 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. Sciortino of Medford moved to amend it by adding the following section:

"SECTION 2. This act shall take effect upon its passage."

The amendment was adopted; and the bill (Senate, No. 2474, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Bills

Making technical corrections to the charter of the city known as the town of Greenfield (Senate, No. 2421) (on a petition) [Local Approval Received]; Greenfield,—
charter.

Making a technical correction to the charter of the city known as the town of Greenfield (Senate, No. 2422) (on a petition) [Local Approval Received]; Id.

Amending the charter of the city known as the town of Greenfield to make a certain technical correction (Senate, No. 2423) (on a petition) [Local Approval Received]; Id.

Greenfield,—
charter.

Making certain technical corrections in the charter of the city known as the town of Greenfield relative to school committee officers (Senate, No. 2424) (on a petition) [Local Approval Received];

Id.

Amending the charter of the city known as the town of Greenfield to further regulate the interdepartmental transfers of funds (Senate, No. 2429) (on a petition) [Local Approval Received];

Daniel
Hermanski, Sr.

Establishing a sick leave bank for Daniel Hermanski, Sr., an employee of the Highway Division of the Massachusetts Department of Transportation (Senate, No. 2472) (on Senate bill No. 2453); and

Greenfield,—
charter.

Making technical corrections to the charter of the city known as the town of Greenfield (Senate, No. 2473) (on Senate bill No. 2425) [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.

Malden,—
police
chief.

Petition (accompanied by bill, Senate, No. 2476) of Katherine M. Clark and Paul J. Donato (with the approval of the mayor and city council) for legislation to exempt the position of chief of police in the city of Malden from the civil service law, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

Background
checks.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to background checks (House, No. 4307), be scheduled for consideration by the House, with the amendments previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means,— that the bill be amended in section 5, in line 80, and in section 6, in line 83, by striking out the following: “2FFFF” and inserting in place thereof, in each instance, the following: “2HHHH”; and in section 6, in line 82, by striking out the following: “2EEEE” and inserting in place thereof the following: “2GGGG”,— then were adopted; and the bill (House, No. 4307, amended) was ordered to a third reading.

Under suspension of the rules, on motion of Mr. O’Day of West Boylston, the bill was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

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

Water
supply.

The Senate Bill to protect public water supply lands (Senate, No. 2371); and

The House Bill exempting David Eddy from the maximum age requirement for firefighters in the city of Methuen (House, No. 4531) [Local Approval Received];

Methuen,—
David
Eddy.

Under suspension of Rule 7A, 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.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to Gold Star Family vanity registration plates (Senate, No. 2096), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Gold Star
families,—
license
plates.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4541,— was adopted.

The bill (Senate, No. 2096, amended) then 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 establishment of old growth forest reserves (House, No. 236), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Old
growth
forest.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4542),— then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to create the position of poet laureate for the Commonwealth of Massachusetts (House, No. 891), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Poet
laureate.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4543),— then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to protect groundwater levels (House, No. 1168, changed), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending. Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

Groundwater
levels,—
protection.

Groundwater levels,— protection.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4544),— then was adopted; and the substituted bill was ordered to a third reading.

Shade tree law.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to update the public shade tree law (House, No. 1839), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4545),— then was adopted; and the substituted bill was ordered to a third reading.

Real estate appraisal companies.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to regulate real estate appraisal management companies (House, No. 4117), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4546),— then was adopted; and the substituted bill was ordered to a third reading.

Musical instruments,— sterilization.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill requiring the sterilization of musical instruments in schools (House, No. 3893), ought to pass with an amendment substituting therefor a Bill relative to the sterilization of musical instruments in schools (House, No. 4549). 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 said rule, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Labor rates.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill reforming labor rates paid by insurance companies to auto repairers in the Commonwealth (House, No. 4218), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4550). 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 said rule, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a petition, a Bill providing for a five member board of health in the city of Methuen (House, No. 4530) [Local Approval Received].

Methuen,—
health
board.

By the same member, for the same committee, on a petition, a Bill relative to the establishment of a building maintenance fund in the town of Northbridge (House, No. 4535) [Local Approval Received].

Northbridge,—
building
fund.

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.

Engrossed Bills.

The engrossed Bill validating the actions taken at the annual town election in the town of Blackstone (see House bill printed in House, No. 4134) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed bills

Regulating surgical technology (see Senate, No. 2058, amended); and

Bills
enacted.

Dissolving the redevelopment authority in the town of Wilmington (see Senate, 2289);

(Which severally originated in the Senate);

Relative to psychology training (see House, No. 1003);

Designating a certain bridge in the town of Framingham as the Gregory B. Vilidnitsky Memorial Bridge (see House, No. 3572);

Relative to civil service positions in the city known as the town of Agawam (see House, No. 4189, amended);

Relative to the finance committee of the town of Provincetown (see House, No. 4477);

Authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4494); and

Authorizing the city of Easthampton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4495);

(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 recommitted House Bill relative to the charter of the town of Southbridge (House, No. 3900), was considered.

Third
reading
bill.

Third
reading
bill.

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

The bill then was passed to be engrossed. Sent to the Senate for concurrence.

Senate bills

Third
reading
bills.

Including call and volunteer firefighters on the Massachusetts Fire Service Commission (Senate, No. 1187) (its title having been changed by the committee on Bills in the Third Reading);

Designating a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns memorial highway (Senate, No. 2292);

Relative to municipal acceptance of roads within a subdivision in the town of Medway (Senate, No. 2348);

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (Senate, No. 2402);

Establishing a sick leave bank for Yolanda Marrero, an employee of the Trial Court (Senate, No. 2455);

Authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2468); and

Establishing a sick leave bank for Donald Mahoney, an employee of the Department of Correction (Senate, No. 2471);

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

Id.

Relative to certain banking laws (House, No. 288);

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Danvers (House, No. 847) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the Division of Capital Asset Management and Maintenance to convey and grant all right, title, and interest in a certain portion of land to abutters (House, No. 3999) (its title having been changed by the committee on Bills in the Third Reading);

Relative to amending the charter of the town of North Andover (House, No. 4314) (its title having been changed by the committee on Bills in the Third Reading);

Exempting certain positions in the town of North Andover from the civil service law (House, No. 4316, amended) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a snowmobile educational safety program (House, No. 4359);

Relative to the leadership and governance of the city known as the town of Agawam (House, No. 4388);

Relative to the charter of the town of Abington (House, No. 4438);

Relative to the Charles River Water Quality Commission (House, No. 4490);

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

Further regulating the granting of temporary licenses for the sale of wine at certain auctions (House, No. 4536) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

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 seventeen minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (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.

Monday, December 24, 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.

Silent Prayer.

Speaker
Thomas W.
McGee.

At the request of Speaker DeLeo of Winthrop, Representatives Walsh of Lynn, Fennell of Lynn, Ehrlich of Marblehead and Wong of Saugus the members, guests and employees stood in a moment of silent prayer in respect to the memory of former Speaker Thomas W. McGee, a member of the House from Lynn from 1963 to 1990, inclusive, and Speaker of the House from 1975 to 1984, inclusive.

Annual Reports.

Annual reports

Comptroller.

Of the Office of the Comptroller (under the provisions of Section 12 (c) of Chapter 7A of the General Laws) submitting the Commonwealth's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2012; and

Children,—
protection.

Of the Office of the Trial Court (under Chapter 205 of the Acts of 2008) relative to the further protection of children;
Severally were placed on file.

Papers from the Senate.

The following notice was received from the Clerk of the Senate, to wit:—

December 21, 2012.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Therese Murray, President of the Senate, has announced the following appointments:

Metropolitan
beaches.

Senators John A. Hart, Jr. (co-chair) and Anthony Petrucci to the Special Commission established (pursuant to Section 215 of Chapter 139 of the Acts of 2012) to make an investigation and study of the future of the Metropolitan beaches under the jurisdiction of the Department of Conservation and Recreation;

Health
accounts, etc.

Senator Brian A. Joyce to the Special Commission established (pursuant to Section 264 of Chapter 224 of the Acts of 2012) to make an investigation and study with the Department of Revenue on the imple-

mentation of a pilot program to increase the adoption of health reimbursement arrangements, health savings accounts, flexible spending accounts and similar plans in the marketplace, including state employees and persons receiving subsidized health care; and

Senators Eileen Donoghue and James E. Welch (pursuant to Section 124 of Chapter 165 of the Acts of 2012) to the Registry of Deeds Modernization and Efficiency Commission. Registries of Deeds.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Bills

Establishing a fire prevention regulations appeals board (Senate, No. 2168, amended in section 6, in line 58, by striking out the word "January" and inserting in place thereof the word "July") (on Senate, No. 1244 and House, No. 2408); and Fire prevention board.

Further regulating the continuing education requirements for certain real estate appraisers and trainees (Senate, No. 2477) (on Senate bill No. 2016); Real estate appraisers.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Yolanda Marrero, an employee of the Trial Court (see Senate, No. 2455), 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. Yolanda Marrero,—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 6 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

The engrossed Bill establishing a sick leave bank for Donald Mahoney, an employee of the Department of Correction (see Senate, No. 2471), 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. Donald Mahoney,—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 5 to 0. Sent to the Senate for concurrence.

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. Bill enacted.

Virtual
schools.

The engrossed Bill establishing Commonwealth virtual schools (see House, No. 4274, 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 6 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.

Kathleen
Rezendes,—
sick leave.

The engrossed Bill establishing a sick leave bank for Kathleen Rezendes, an employee of the Department of Transitional Assistance (see House, No. 4410), 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 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 Bills.

Engrossed bills

Bills
enacted.

Including call and volunteer firefighters on the Massachusetts Fire Service Commission (see Senate, No. 1187);

Designating a portion of Route 8 in the town of Hinsdale as the Pvt. Henry T. Johns memorial highway (see Senate, No. 2292);

Relative to municipal acceptance of roads within a subdivision in the town of Medway (see Senate, No. 2348);

Relative to housing rights for victims of domestic violence, rape, sexual assault and stalking (see Senate, No. 2402); and

Authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2468);

(Which severally originated in the Senate);

Authorizing the town of Westwood to grant special licenses for the sale of all alcoholic beverages and wines and malt beverages (see House, No. 3675);

Relative to electing water commissioners in the town of Harvard (see House, No. 3997);

Relative to financial services contracts for dental benefits corporations (see House, No. 4265);

Making faculty sabbatical provisions at state universities consistent with other higher education institutions (see House, No. 4295);

Amending the town charter of Oxford (see House, No. 4313);

Relative to the charter of the city of Somerville (see House, No. 4440, amended); Bills enacted.

Authorizing the town of Milton to borrow money for the payment of certain medical expenses (see House, No. 4445); and

Relative to the regional wastewater district enabling act for the towns of Mansfield, Foxborough and Norton (see House, No. 4487);

(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.

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.

Speaker DeLeo of Winthrop and Representatives Walsh of Lynn, Fennell of Lynn, Ehrlich of Marblehead and Wong of Saugus then moved that when the House adjourns today, it do so in respect to the memory of former Speaker Thomas W. McGee, a member of the House from Lynn from 1963 to 1990, inclusive; and Speaker of the Massachusetts House of Representatives from 1975 to 1984, inclusive, and the motion prevailed.

Accordingly, at twenty-eight minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (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.

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.

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.

Friday, December 28, 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.

Papers from the Senate.

Marine
Corps
League
highway.

The House Bill designating a portion of Route 9 from the city of Northampton to the city of Pittsfield as the Marine Corps League highway (House, No. 3637), came from the Senate passed to be engrossed, in concurrence, with amendments in section 2, in lines 9, 10 and 11, striking out the words "Highway and suitable markers bearing such designation shall be erected and maintained thereon by the Marine Corps League, Westfield River Valley Detachment 141" and inserting in place thereof the following words:—"Highway. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with applicable state and federal standards".

Under suspension of Rule 35, on motion of Mr. Speliotis of Danvers, 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.

Wendy
Foxmyr,—
retirement.

The House Bill providing retirement benefits for a member of the Franklin Regional Retirement System (House, No. 3936), came from the Senate passed to be engrossed, in concurrence, with amendments in line 1, after the word "Law" (as published), inserting the words "or rule or regulation" and in lines 3 and 4, striking out the words "employment services provided to several communities" and inserting in place thereof the words "serving as interim town administrator in the towns of Leverett and Northfield".

Under suspension of Rule 35, on motion of Mr. Kocot of Northampton, 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.

Children,—
influenza
immunization.

The House Bill relative to annual immunization against influenza for children (House, No. 3948), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 3, inserting after the word "all" the words "and elementary".

Under suspension of Rule 35, on motion of Mr. Aguiar of Fall River, 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.

The House Bill providing for a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (House, No. 4252) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 5, striking out the following: “11th edition (2010)” and inserting in place thereof the words “the most recent”.

Intellectual disability.

Under suspension of Rule 35, on motion of Ms. Reinstein of Revere, 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.

The House Bill relative to the filing of statements of financial condition by public employee retirement systems (House, No. 4270) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 2 and inserting in place thereof the following section:

Retirement systems,—statements.

“SECTION 2. Said subdivision (5) of said section 20 of said chapter 32, as so appearing, is hereby further amended by adding the following paragraph:—

(m) For the purposes of paragraphs (h) and (i) of this subdivision and paragraph (a) of subdivision (1) of section 23, the state board of retirement and the teachers. retirement board may write off outstanding pension payments that remain payable or receivable to the respective systems and which the systems have been unable to recover or properly pay for more than 3 calendar years. All write-offs of receivable and payable amounts shall be approved by the state board of retirement or the teachers. retirement board, whichever is appropriate. The state employees’ retirement system and the teachers’ retirement system shall maintain a record of all amounts written off.” ; and adding the following section:

“SECTION 5. Notwithstanding any general or special law to the contrary and except as expressly provided otherwise, the calendar year 2012 financial statement of the state employees. retirement system and the calendar year 2012 financial statement of the teachers. retirement system shall be filed on or before May 1, 2013 and the fiscal year 2013 financial statement of the state employees. retirement system and the fiscal year 2013 financial statement of the teachers. retirement systems shall be filed on or before December 31, 2013.”.

Under suspension of Rule 35, on motion of Mr. Bradley of Hingham, 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 relative to certain retirement rights (House, No. 4271, amended), came from the Senate with the endorsement that it had been passed to be engrossed, in concurrence, with amendments inserting after section 1 the following section:

Retirement rights.

“SECTION 1A. Said section 16 of said chapter 32 is hereby further amended by striking out, in lines 65 and 66, the words ‘, removed or

Retirement
rights.

discharged from his office or position he' and inserting in place thereof the following words:— under subdivision (1) from the member's office or position, the member.”; and, in section 3 (inserted by amendment by the House) striking out the date “December 20, 2012” and inserting in place thereof the date “January 15, 2013”.

Under suspension of Rule 35, on motion of Mr. Bradley of Hingham, 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.

Background
checks.

The House Bill relative to background checks (House, No. 4307), came from the Senate passed to be engrossed, in concurrence, with amendments in section 8, in lines 178, 179 and 180, striking out the words “; and further amended by inserting after the words ‘youth services’, in line 127, the following words:— ‘, or was employed at a facility approved or licensed by the department of early education and care’”; inserting after section 8 the following section:

“SECTION 8A. Said subsection (l) of said section 51B of said chapter 119, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:—

If the department substantiates a report alleging that abuse or neglect was committed by an individual who was employed at a facility approved or licensed by the department of early education and care, then the department shall notify the office of the child advocate and the department of early education and care, in writing, by transmitting a copy of the report filed under section 51A and the department's written evaluation and written determination.”; and in section 9, in line 183, striking out the following: “within 3 years” and inserting in place thereof the following: “prior to the beginning of the 2016-2017 school year.”

Under suspension of Rule 35, on motion of Ms. Peisch of Wellesley, 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.

Reports of Committees.

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

Senate bills

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

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

House bills

Relative to the positions of collector and clerk-treasurer in the town of South Hadley (House, No. 4547) [Local Approval Received]; and

Establishing a selectboard-town administrator form of government for the town of South Hadley (House, No. 4548) [Local Approval Received];

Under suspension of Rule 7A, 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.

Malden,—
police chief.

Katrin
Fox,—
sick leave.

South
Hadley.

Id.

Subsequently, the noon recess having terminated, under further suspension of the rules, in each instance, on motion of Mr. O'Day of West Boylston, the bills (having been 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.

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

Senate bills

Relative to residents of continuing care retirement communities (Senate, No. 2139); and Retirement,—care.

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

The House Bill relative to the town of Dartmouth fire district No. 1 (House, No. 4552); Dartmouth.

Under suspension of Rule 7A, 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.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill further regulating the continuing education requirements for certain real estate appraisers and trainees (Senate, No. 2477), 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. Real estate appraisers.

Under suspension of the 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. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Matthew Stuart, an employee of the department of children and families (House, No. 4556). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Matthew Stuart,—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. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to process piping (Senate, No. 2478, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Process piping.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing six-year career plans for all Massachusetts public school students (House, No. 3931), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4558). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently, with the amendment pending. Students,—career plans.

Emergency Measures.

Katrin
Fox.—
sick leave.

The engrossed Bill establishing a sick leave bank for Katrin Fox, an employee of the Highway Division of the Massachusetts Department of Transportation (see Senate, No. 2487), 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 7 to 0. Sent to the Senate for concurrence.

Transportation
improvements.

The engrossed Bill relative to commuter shuttles and public transportation improvements (see House, No. 901), 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.

Retirement
rights.

The engrossed Bill relative to certain retirement rights (see House, No. 4271, 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 6 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Relative to the licensure of behavior analyst (see Senate, No. 2379, amended) (which originated in the Senate);

Relative to vacancies in the office of selectmen in the town of North Andover (see House, No. 3832, amended);

Relative to access to epinephrine in schools (see House, No. 3959, amended);

Relative to life settlements and stranger originated life insurance (see House, No. 4296, amended);

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 (see House, No. 4308, amended); and

Making corrective changes to certain amendments to the town of Southbridge charter (see House, No. 4551);

(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.

Senate bills

Making technical corrections to the charter of the city known as the town of Greenfield (Senate, No. 2421);

Third
reading
bills.

Making a certain technical correction to the charter of the city known as the town of Greenfield (Senate, No. 2422);

Amending the charter of the city known as the town of Greenfield to make a certain technical correction (Senate, No. 2423);

Making certain technical corrections in the charter of the city known as the town of Greenfield relative to school committee officers (Senate, No. 2424);

Amending the charter of the city known as the town of Greenfield relative to the budget review process (Senate, No. 2426, amended);

Amending the charter of the city known as the town of Greenfield to further regulate the interdepartmental transfer of funds (Senate, No. 2429);

Making technical corrections to the charter of the city known as the town of Greenfield (Senate, No. 2473); and

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);

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

Relative to the powers and duties of a regional school district (House, No. 3918);

Relative to regional stabilization funds (House, No. 4016);

Promoting health through workplace safety for social workers (House, No. 4254) (its title having been changed by the committee on Bills in the Third Reading);

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

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

Establishing a sick bank for Margaret C. Henderson, an employee of the Executive Office of Health and Human Services (House, No. 4554) (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.

Third reading bills.

The Senate Bill further regulating dam safety, repair and removal (Senate, No. 1985, 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, as amended, to be engrossed, in concurrence, Mr. Dempsey of Haverhill 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 4557.

The amendment was adopted; and the bill (Senate, No. 1985, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Dam safety,—repair and removal.

Recess.

Recess.

At two minutes after one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until half past one o'clock P.M.; and at twenty-two minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

*Engrossed Bills.*Bills
enacted.

Engrossed bills

Making technical corrections to the charter of the city known as the town of Greenfield (see Senate, No. 2421);

Making a certain technical correction to the charter of the city known as the town of Greenfield (see Senate, No. 2422);

Amending the charter of the city known as the town of Greenfield to make a certain technical correction (see Senate, No. 2423);

Making certain technical corrections in the charter of the city known as the town of Greenfield relative to school committee officers (see Senate, No. 2424);

Amending the charter of the city known as the town of Greenfield relative to the budget review process (see Senate, No. 2426, amended);

Amending the charter of the city known as the town of Greenfield to further regulate the interdepartmental transfer of funds (see Senate, No. 2429);

Relative to bylaws in the town of Greenfield (see Senate, No. 2473);

Exempting the position of police chief in the city of Malden from the civil service law (see Senate, No. 2476);

(Which severally originated in the Senate);

Providing for a definition of intellectual disability consistent with the American Association of Intellectual and Developmental Disabilities (see House, No. 4252, amended); and

Relative to the filing of statements of financial condition by public employee retirement systems (see House, No. 4270, 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.

Orders of the Day.

House bills

Amending the municipal ticket law (House, No. 1461) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the disclosure of information of public school athletic resources and interscholastic athletic authorized representatives (House, No. 4080);

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.

Municipal
tickets.School
athletics.Licensing
board
memberships.

The engrossed Bill relative to certain licensing board memberships (see House, No. 4236), being a printed copy of sections 35 and 36 and 39 to 45, inclusive, contained in the engrossed Bill making appropri-

tions for the fiscal year 2013 (see House, No. 4200), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4240), was considered.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor (striking out all after the enacting clause and inserting in place thereof a new text) be considered in the form approved by said committee; and the report was accepted.

Pending the question on adoption of the amendment recommended by the Governor, Representatives Dempsey of Haverhill and Walz of Boston moved to amend it by striking out the text contained therein and inserting in place thereof the following:

“SECTION 1. Section 13 of chapter 13 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 1, the figure ‘17’ and inserting in place thereof the following figure:— 19.

SECTION 2. Said section 13 of said chapter 13, as so appearing, is hereby further amended by striking out, in line 8, the words ‘112 and 2 consumers.’ and inserting in place thereof the following words:— 112; 3 consumers; and 1 vocational-technical licensed practical nursing educator or administrator who shall be selected from a group of 3 nominees, to be nominated by the Massachusetts Association of Vocational Administrators.

SECTION 3. Section 36 of said chapter 13, as so appearing, is hereby amended by striking out, in line 3, the word ‘nine’ and inserting in place thereof the following figure:— 11.

SECTION 4. Said section 36 of said chapter 13, as so appearing, is hereby further amended by striking out, in line 5, the word ‘seven’ and inserting in place thereof the following figure:— 9.

SECTION 5. Said section 36 of said chapter 13, as so appearing, is hereby further amended by inserting after the word ‘systems’, in line 16, the following words:— , 1 of whom shall be a vocational-technical plumbing educator or administrator who shall be selected from a group of 3 persons to be nominated by the Massachusetts Association of Vocational Administrators; 1 of whom shall be a licensed plumber in good standing with a union or nonunion affiliation, whichever constitutes the minority of the board.

SECTION 6. Section 42 of said chapter 13, as so appearing, is hereby amended by striking out, in line 2, the word ‘seven’ and inserting in place thereof the following figure:— 9.

SECTION 7. Said section 42 of said chapter 13, as so appearing, is hereby further amended by striking out, in line 35, the word ‘and’.

SECTION 8. Said section 42 of said chapter 13, as so appearing, is hereby further amended by inserting after the word ‘cosmetology’, in lines 36 and 37, the following words:— and (c) 1 member shall be a vocational-technical cosmetology educator or administrator who shall be selected from a group of 3 persons, to be nominated by the Massachusetts Association of Vocational Administrators.

SECTION 9. Section 101 of said chapter 13, as so appearing, is hereby amended by striking out, in line 4, the figure ‘5’ and inserting in place thereof the following figure:— 7.

Licensing
board
memberships.

SECTION 10. Said section 101 of said chapter 13, as so appearing, is hereby further amended by inserting, after the word 'work', in line 9, the following words:— , 1 of whom shall be a vocational-technical sheet metal educator or administrator who shall be selected from a group of 3 persons, to be nominated by the Massachusetts Association of Vocational Administrators; 1 of whom shall be a licensed sheet metal worker in good standing with a union or nonunion affiliation, whichever constitutes the minority of the board.”.

The further amendment was adopted, thus precluding a vote on the pending amendment. Sent to the Senate for its action.

Public
construction
contracts.

The Senate Bill to ensure transparency of workforce participation in public construction contracts (Senate, No. 2386, 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, as amended, to be engrossed, in concurrence, Ms. Forry of Boston moved to amend it in section 7, in line 48, by striking out the following: “on or before January 30 of” and inserting in place thereof the word “quarterly”; and, in lines 54 and 55, by striking out the following: “ for the construction, reconstruction, installation demolition, maintenance or repair of any building by a public agency” and inserting in place thereof the following: “ by a state agency or state assisted contract for design, construction, reconstruction, installation, demolition, maintenance or repair”.

The amendments were adopted; and the bill (Senate, No. 2386, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the

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-seven minutes before three o'clock P.M., on motion of Mr. Hill of Ipswich (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.

Monday, December 31, 2012.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resignation of Representative Smith of Everett.

The following communication was read; and spread upon the records of the House, as follows:

December 31, 2012.

The Honorable Steven T. James
Clerk of the House of Representatives
The Massachusetts State House
Room 145
Boston, MA 02133

Dear Mr. James:

I hereby resign as State Representative from the 28th Middlesex District, effective at 12:01 A.M. on January 1, 2013. Resignation of Representative Stephen Stat Smith of Everett.

Sincerely yours,

STEPHEN STAT SMITH,
State Representative,
28th Middlesex District.

Resolutions.

Resolutions (filed by Mr. Sánchez of Boston) honoring Angel Lopez and his many accomplishments as a champion of the communities in the city of Boston, were referred, under Rule 85, to the committee on Rules. Angel Lopez.

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

Communication.

A communication from Northeastern University (under Chapter 645 of the Acts of 1986) relative to the lease entered into by and between the Commonwealth of Massachusetts and Northeastern University for the University Boathouse, was placed on file. Northeastern University Boathouse.

Annual and Special Reports.

Special reports

Civic
Engagement
and Learning.

Of the Special Commission on Civic Engagement and Learning (established under Section 106 of Chapter 182 of the acts of 2008 and most recently revived and continued under Section 167 of Chapter 68 of the Acts of 2011) relative to ways to improve civic engagement and learning in the Commonwealth (House, No. 4562) [for recommended legislation, see App. C], was referred, under Rule 24, to the committee on Education.

Cashless
System
Commission.

Of the Cashless System Commission (under Section 5 of Chapter 161 of the Acts of 2012) relative to the feasibility of implementing a cashless payment system for the Department of Transitional Assistance (House, No. 4560), was referred, under Rule 24, to the committee on the Judiciary.

Severally sent to the Senate for concurrence.

Annual reports

Brownsfields
Advisory
Group.

Of the Brownsfields Advisory Group (under Section 29A of Chapter 23G of the General Laws) including financial statements related to the effectiveness of the Brownsfields Redevelopment Fund [copies were forwarded to the Speaker of the House and the committee on Ways and Means, in accordance with said law]; and

Water
Pollution
Abatement
Trust.

Of the Massachusetts Water Pollution Abatement Trust (under Section 17 of Chapter 29C of the General Laws) for the fiscal year ending June 30, 2012 [copies were forwarded to the President of the Senate, the Speaker of the House of Representatives and the chairpersons of the Senate and House committees on Ways and Means, in accordance with said law];

First annual reports

Advanced
Manufacturing
Futures
Program.

Of the Advanced Manufacturing Futures Program (under Section 45 of Chapter 23G of the General Laws) including a current assessment of the progress of each program funded through the manufacturing grant program and the progress of the advanced manufacturing collaborative activity [copies were forwarded to the House committee on Ways and Means and the joint committee on Economic Development and Emerging Technologies and the joint committee on Labor and Workforce Development, in accordance with said law]; and

Commissioner
of Probation.

Of the Office of the Commissioner of Probation (under Section 99F of Chapter 276 of the General Laws) relative to the progress of the Massachusetts Probation Service in achieving certain goals [copies were forwarded to the House committee on Ways and Means, the joint committee on the Judiciary and the joint committee on Public Safety and Homeland Security, in accordance with said law].

Special reports

Energy
Resources,—
renewable
energy.

Of the Department of Energy Resources (under Section 45 of Chapter 209 of the Acts of 2012) relative to reducing alternative compliance payments in meeting the Massachusetts Class II renewable energy generating sources [a copy was forwarded to the joint committee on Telecommunications, Utilities and Energy, in accordance with said act].

Energy
Resources,—
Green
Communities
Act.

Of the Department of Energy Resources (under Section 48 of Chapter 209 of the Acts of 2012) relative to the assessing of long-term contract requirements under Section 83 of the Green Communities Act [a

copy was forwarded to the joint committee on Telecommunications, Utilities and Energy, in accordance with said Section 48].

Of the Executive Office of Environmental Affairs (under Section 92 of Chapter 238 of the Acts of 2012) relative to the viability of the Massachusetts Energy Conservation Project Fund [a copy was forwarded to the joint committee on Telecommunications, Utilities and Energy, in accordance with said act].

Environmental Affairs,—
Energy Conservation Fund.

Of the Executive Office of Environmental Affairs (under Section 46 of Chapter 209 of the Acts of 2012) relative to the inclusion of useful thermal energy in the Alternative Portfolio Standard in Massachusetts [a copy was forwarded to the joint committee on Telecommunications, Utilities and Energy, in accordance with said act].

Environmental Affairs,—
thermal energy.

Severally were placed on file.

Papers from the Senate.

Mrs. Haddad of Somerset being in the Chair,—

The Senate Bill protecting lakes and ponds from aquatic nuisances (Senate, No. 1904, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 3908) with further amendments in section 1, in line 49 and in line 50, the second time it appears, inserting after the word “transporter”, in each instance, the words “, truck-trailer boat transporter”, in said line 50, striking out the words “or boat transporter” and inserting in place thereof the words “boat transporter or truck-trailer boat transporter”, and in line 52, after the words “truck-trailer”, inserting the word “boat”.

Aquatic nuisances.

Under suspension of Rule 35, on motion of Mr. Pignatelli of Lenox, the further 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 Senate Bill establishing a sick leave bank for Sarah Bok, an employee of the Trial Court (Senate, No. 2475) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Sarah Bok,—
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.

Subsequently under suspension of the rules, on motion of Mr. O’Day of West Boylston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and the bill was passed to be engrossed, in concurrence.

Engrossed Bills.

Ms. Reinstein of Revere being in the Chair,—

Engrossed bills

Establishing a sick leave bank for Katrin Fox, an employee of the highway division of the Massachusetts Department of Transportation (see Senate, No. 2487) (which originated in the Senate);

Bills enacted.

Bills
enacted.

Relative to commuter shuttles and public transportation improvements (see House, No. 901); and

Relative to certain retirement rights (see House, No. 4271, amended); (Which severally originated in the House);

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Id.

Amending the charter of the city known as the town of Greenfield to establish a mayor's task force against domestic violence (see Senate, No. 2480) (which originated in the Senate);

Designating a portion of Route 9 from the city of Northampton to the city of Pittsfield as the Marine Corps League highway (see House, No. 3637, amended);

Providing retirement benefits for a member of the Franklin Regional Retirement System (see House, No. 3936, changed and amended); and

Relative to annual immunization against influenza for children (see House, No. 3948, 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.

Orders of the Day.

Mrs. Haddad of Somerset being in the Chair,—

Senate bills

Third
reading
bills.

Relative to residents of continuing care retirement communities (Senate, No. 2139);

Authorizing the town of Burlington to grant retroactive abatements for certain taxes to certain military personnel (Senate, No. 2302);

Increasing the membership of dental hygienists on the Board of Registration in Dentistry (Senate, No. 2328) (its title having been changed by the committee on Bills in the Third Reading); and

Protecting public water supply lands (Senate, No. 2371) (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, in concurrence.

House bills

Id.

Relative to insurance surcharges (House, No. 2058);

Relative to the public shade tree law (House, No. 4545) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the Town of Dartmouth Fire District No. 1 (House, No. 4552);

Relative to Grandparents Commission membership (House, No. 4553) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Matthew Stuart, an employee of the Department of Children and Families (House, No. 4556);

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 relative to oral cancer therapy (Senate, No. 2363, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Oral cancer therapy.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Dempsey of Haverhill moved to amend it in sections 1 to 5, inclusive, by striking out, in each instance, the last two sentences. The amendment was adopted.

Mr. Moran of Boston then moved to amend the bill by adding the following section:

“SECTION 7. Chapter 244 of the acts of 2012 is hereby amended by inserting, after section 25, the following section:—

Section 25A. Section 4 shall take effect on May 1, 2013.”

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 amendments.

Recess.

At seventeen minutes after one o'clock P.M., on motion of Mr. Jones of North Reading (Mrs. Haddad of Somerset being in the Chair), the House recessed until two o'clock P.M.; and at twelve minutes after two o'clock the House was called to order with Mrs. Haddad in the Chair. Recess.

Papers from the Senate.

The House Bill exempting certain positions in the town of Milton from civil service law (printed as Senate, No. 2368), 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 following: Milton,—
civil service.

“SECTION 1. The positions of school department custodian, school department maintenance man, school department cafeteria worker, department of public works employee, park and recreation department employee, cemetery department employee, and consolidated facilities department employee in the town of Milton shall be exempt from chapter 31 of the General Laws.

SECTION 2. Section 1 of this act shall not impair the civil service status of the persons holding the positions of school department custodian, school department maintenance man, school department cafeteria worker, department of public works employee, park and recreation department employee, cemetery department employee, and consolidated facilities department employee in the town of Milton on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.”

Under suspension of Rule 35, on motion of Mr. Timilty of Milton, 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.

The House Bill relative to a Cable PEG Access Enterprise Fund (House, No. 1451), 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 2102; Cable PEG franchise fund.

Cable PEG
franchise
fund.

and striking out the title and inserting in place the following title: "An Act relative to cable franchise funds."

Under suspension of Rule 35, on motion of Mr. Kuros of Uxbridge (Ms. Reinstein of Revere being in the Chair), the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

The same member then moved that the House concur with the Senate in its amendments with a further amendment 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 4564; and the further amendment was adopted.

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

Chatham,—
town
charter.

The House Bill relative to the charter of the town of Chatham (House, No. 4473), 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 2482.

Under suspension of Rule 35, on motion of Ms. Peake of Provincetown, 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.

Methuen,—
board of
health.

The House Bill establishing a 5-member board of health in the city of Methuen (House, No. 4530), came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 1 the following section:

"SECTION 1A. The term of each member of the board of health shall be for 3 years, so arranged that as nearly an equal number of terms as is possible shall expire each year."

Under suspension of Rule 35, on motion of Ms. Campbell of Methuen, 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.

Fire
prevention
regulations
appeals
board.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill establishing the fire prevention regulations appeals board (Senate, No. 2168, amended), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Under further suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill, was read a third time forthwith; and it was passed to be engrossed, in concurrence.

Medical
loss
ratio.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 4070, reported, in part, a Bill relative to the medical loss ratio (House, No. 4561). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, 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; and it was ordered to a third reading.

Under further suspension of the rules, on motion of Mr. O'Day of West Boylston, the bill, was read a third time forthwith; and it was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill designating a certain bridge in the city of Fall River as the Army Specialist Scott A. Andrews memorial bridge (see House, No. 4506), 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.

Fall River,—
Andrews
bridge.

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.

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.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Protecting lakes and ponds from aquatic nuisances (see Senate, No. 1904, amended);

Bills
enacted.

Relative to residents of continuing care retirement communities (see Senate, No. 2139);

Increasing the number of dental hygienists on the Board of Registration in Dentistry (see Senate, No. 2328);

To protect public water supply lands (see Senate, No. 2371);

Further regulating certain reimbursements by the city of Medford to the Water Enterprise Fund (see Senate, No. 2474, amended);

(Which severally originated in the Senate);

Designating a certain bridge in the town of Newbury as the John B. Hayden bridge (see House, No. 1809);

Authorizing the Orleans, Brewster and Eastham Groundwater Protection District to provide retirement benefits for district employees (see House, No. 4175);

Promoting health through workplace safety for social workers (see House, No. 4254);

Relative to the leadership and governance of the city known as the town of Agawam (see House, No. 4388);

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

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

Establishing a building maintenance fund in the town of Northbridge (see House, No. 4535);

(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
bill.

The Senate Bill relative to regional 911 emergency communication districts (Senate, No. 2248, 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.

Emergency Measures.

Ms. Reinstein of Revere being in the Chair,—

Dam safety,
repair and
removal.

The engrossed Bill further regulating dam safety, repair and removal (see Senate, No. 1985, 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.

Sarah
Bok,—
sick leave.

The engrossed Bill establishing a sick leave bank for Sarah Bok, an employee of the Trial Court (see Senate, No. 2475), 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

Bills
enacted.

Establishing the fire prevention regulations appeals board (see Senate, No. 2168, amended);

Authorizing the town of Burlington to grant retroactive abatements for certain taxes to certain military personnel (see Senate, No. 2302);

Relative to oral cancer therapy (see Senate, No. 2363, amended);

Establishing a board of registration in naturopathy (see Senate, No. 2377, amended);

To ensure transparency of workforce participation in public construction contracts (see Senate, No. 2386, amended);

(Which severally originated in the Senate);

Exempting certain positions in the town of Milton from civil service law (see House bill printed as Senate, No. 2368);

Relative to background checks (see House, No. 4307, amended);

Bill relative to the charter of the town of Chatham (see House, No. 4473, amended);

Establishing a 5-member board of health in the city of Methuen (see House, No. 4530, amended);

Relative to the positions of collector and clerk-treasurer in the town of South Hadley (see House, No. 4547);

Establishing a selectboard-town administrator form of government for the town of South Hadley (see House, No. 4548);

Relative to the Town of Dartmouth Fire District No. 1 (see House, No. 4552);

Relative to Grandparents Commission membership (see House, No. 4553); and

Relative to the medical loss ratio (House, No. 4561);

(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.

Emergency Measure.

The engrossed Bill relative to certain licensing board memberships (see House, No. 4236, 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.

Licensing
board
memberships.

Pending the question on adoption of the emergency preamble, Ms. Walz of Boston moved that Rule 40 be suspended; and the motion prevailed.

Representatives Walz and Walsh of Boston then moved to amend the bill at the end of sections 5 and also 10 (as inserted by amendment by the House), by striking out, in each instance, the words “or non-union affiliation, whichever constitutes the minority of the board”. The amendment was adopted.

The bill (see House, No. 4236, amended) then was sent to the Senate for concurrence.

At one minute after five o'clock P.M., on motion of Mr. Jones of North Reading (Ms. Reinstein of Revere being in the Chair), the House adjourned.

[Under the provisions of Article X of the Amendments to the Constitution, the second annual session of the 187th General Court was dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of His Excellency the Governor.]

Attest:

STEVEN T. JAMES,
Clerk.

YEA AND NAY SUPPLEMENT

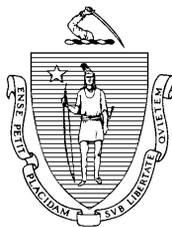
TO THE

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

— 2012 —



PRINTED BY ORDER OF THE HOUSE AND IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 10 OF CHAPTER 5 OF THE
GENERAL LAWS.

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, January 18, 2012.

Yea and Nay No. 182

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Vallee
Y	Mariano	Y	Ehrlich	Y	Moran	X	Wagner
Y	Haddad	X	Fallon	Y	Murphy, C.	Y	Walsh, C.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, M.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walsh, S.
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Walz
Y	Andrews	X	Ferrante	X	Naughton	Y	Wolf
Y	Arciero	Y	Finn	Y	Nyman	Y	Jones
Y	Ashe	X	Forry	Y	O'Day	Y	Peterson
Y	Atkins	X	Fox	Y	O'Flaherty	Y	Hill
X	Atsalis	Y	Fresolo	Y	Parisella	Y	Poirier
Y	Ayers	Y	Galvin	Y	Peake	Y	Adams
Y	Balser	Y	Garballey	Y	Pedone	Y	Barrows
Y	Basile	Y	Garlick	Y	Peisch	Y	Bastien
Y	Benson	Y	Garry	Y	Petrolati	Y	Beaton
Y	Binienda	Y	Gobi	Y	Pignatelli	Y	Boldyga
Y	Bradley	Y	Golden	Y	Provost	Y	deMacedo
Y	Brady	Y	Hecht	Y	Puppolo	Y	D'Emilia
Y	Brodeur	Y	Henriquez	Y	Rogers	Y	Diehl
Y	Brownsberger	Y	Hogan	Y	Rosa	Y	Durant
Y	Cabral	Y	Holmes	Y	Sanchez	Y	Fattman
Y	Calter	Y	Honan	X	Sannicandro	Y	Ferguson
Y	Campbell	Y	Kafka	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kane	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	X	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
X	Curran	Y	Madden	Y	Straus	Y	Orall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
X	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	X	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrissi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 147

NAYS: 0

N-V: 13

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, January 18, 2012.

Yea and Nay No. 183

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Vallee
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Wagner
Y	Haddad	X	Fallon	Y	Murphy, C.	Y	Walsh, C.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, M.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walsh, S.
Y	Aguiar	Y	Fernandes	Y	Naughton	Y	Walz
Y	Andrews	Y	Ferrante	X	Naughton	Y	Wolf
Y	Arciero	Y	Finn	Y	Nyman	Y	Jones
Y	Ashe	Y	Forry	Y	O'Day	Y	Peterson
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Hill
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Poirier
Y	Ayers	Y	Galvin	Y	Peake	Y	Adams
Y	Balser	Y	Garballey	Y	Pedone	Y	Barrows
Y	Basile	Y	Garlick	Y	Peisch	Y	Bastien
Y	Benson	Y	Garry	Y	Petrolati	Y	Beaton
Y	Binienda	Y	Gobi	Y	Pignatelli	Y	Boldyga
Y	Bradley	Y	Golden	Y	Provost	Y	deMacedo
Y	Brady	Y	Hecht	Y	Puppolo	Y	D'Emilia
Y	Brodeur	Y	Henriquez	Y	Rogers	Y	Diehl
Y	Brownsberger	Y	Hogan	Y	Rosa	Y	Durant
Y	Cabral	X	Holmes	Y	Sanchez	Y	Fattman
Y	Calter	Y	Honan	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Kafka	X	Scaccia	Y	Frost
Y	Canavan	Y	Kane	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
X	Dempsey	X	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	X	Webster
Y	Donato	Y	McMurtry	Y	Torrissi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, January 18, 2012.

Yea and Nay No. 184

On adoption of a further amendment (offered by Mr. Kaufman of Lexington) to the amendment (offered by Mr. Lombardo of Billerica) to the House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3878, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Vallee
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Wagner
Y	Haddad	X	Fallon	Y	Murphy, C.	Y	Walsh, C.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, M.
Y	Reinstein	N	Fennell	Y	Murphy, K.	Y	Walsh, S.
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Walz
Y	Andrews	Y	Ferrante	X	Naughton	Y	Wolf
Y	Arciero	Y	Finn	Y	Nyman	N	Jones
Y	Ashe	Y	Forry	Y	O'Day	N	Peterson
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Hill
N	Atsalis	Y	Fresolo	Y	Parisella	N	Poirier
Y	Ayers	Y	Galvin	Y	Peake	N	Adams
Y	Balser	Y	Garballey	X	Pedone	N	Barrows
Y	Basile	Y	Garlick	Y	Peisch	N	Bastien
Y	Benson	N	Garry	Y	Petrolati	N	Beaton
Y	Binienda	Y	Gobi	Y	Pignatelli	N	Boldyga
Y	Bradley	Y	Golden	Y	Provost	N	deMacedo
Y	Brady	Y	Hecht	Y	Puppolo	N	D'Emilia
Y	Brodeur	Y	Henriquez	Y	Rogers	N	Diehl
Y	Brownsberger	Y	Hogan	N	Rosa	N	Durant
Y	Cabral	Y	Holmes	Y	Sanchez	N	Fattman
Y	Calter	Y	Honan	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Kafka	Y	Scaccia	N	Frost
Y	Canavan	Y	Kane	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	N	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	N	O'Connell
Y	Curran	X	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
N	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 116

NAYS: 39

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, January 18, 2012.

Yea and Nay No. 185

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Vallee
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Wagner
Y	Haddad	X	Fallon	Y	Murphy, C.	Y	Walsh, C.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, M.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walsh, S.
Y	Aguiar	Y	Fernandes	Y	Naughton	Y	Walz
Y	Andrews	Y	Ferrante	X	Naughton	Y	Wolf
Y	Arciero	Y	Finn	Y	Nyman	Y	Jones
Y	Ashe	Y	Forry	Y	O'Day	Y	Peterson
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Hill
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Poirier
Y	Ayers	Y	Galvin	Y	Peake	Y	Adams
Y	Balser	Y	Garballey	X	Pedone	Y	Barrows
Y	Basile	Y	Garlick	Y	Peisch	Y	Bastien
Y	Benson	Y	Garry	Y	Petrolati	Y	Beaton
Y	Binienda	Y	Gobi	Y	Pignatelli	Y	Boldyga
Y	Bradley	Y	Golden	Y	Provost	Y	deMacedo
Y	Brady	Y	Hecht	Y	Puppolo	Y	D'Emilia
Y	Brodeur	Y	Henriquez	Y	Rogers	Y	Diehl
Y	Brownsberger	Y	Hogan	Y	Rosa	Y	Durant
Y	Cabral	Y	Holmes	Y	Sanchez	Y	Fattman
Y	Calter	Y	Honan	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Kafka	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kane	X	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrissi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, January 18, 2012.

Yea and Nay No. 186

On passing to be engrossed the House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3887, published as amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Vallee
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Wagner
Y	Haddad	X	Fallon	Y	Murphy, C.	Y	Walsh, C.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, M.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walsh, S.
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Walz
Y	Andrews	Y	Ferrante	X	Naughton	Y	Wolf
Y	Arciero	Y	Finn	Y	Nyman	Y	Jones
Y	Ashe	Y	Forry	Y	O'Day	Y	Peterson
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Hill
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Poirier
Y	Ayers	Y	Galvin	Y	Peake	Y	Adams
Y	Balser	Y	Garballey	X	Pedone	Y	Barrows
Y	Basile	Y	Garlick	Y	Peisch	Y	Bastien
Y	Benson	Y	Garry	Y	Petrolati	Y	Beaton
Y	Binienda	Y	Gobi	Y	Pignatelli	Y	Boldyga
Y	Bradley	Y	Golden	Y	Provost	Y	deMacedo
Y	Brady	Y	Hecht	Y	Puppolo	Y	D'Emilia
Y	Brodeur	Y	Henriquez	Y	Rogers	Y	Diehl
Y	Brownsberger	Y	Hogan	Y	Rosa	Y	Durant
Y	Cabral	Y	Holmes	Y	Sanchez	Y	Fattman
Y	Calter	Y	Honan	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Kafka	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kane	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	*Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 1

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, January 24, 2012.

Yea and Nay No. 187

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	X	Walsh, C.
Y	Mariano	X	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	X	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
X	Atsalis	X	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	X	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
X	Creedon	Y	Linsky	Y	Straus	Y	Orrall
X	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	X	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 143

NAYS: 0

N-V: 15

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, January 24, 2012.

Yea and Nay No. 188

On adoption of a further amendment (offered by Mr. Winslow of Norfolk) to an amendment (offered by him) to the Senate Bill relative to improving accountability and oversight of education collaboratives (Senate, No. 2105, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	X	Walsh, C.
N	Mariano	X	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	*Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
Y	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	X	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	N	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
X	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	Y	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
X	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrisi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	Y	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 35

NAYS: 116

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, January 24, 2012.

Yea and Nay No. 189

On passing to be engrossed, in concurrence, the Senate Bill relative to improving accountability and oversight of education collaboratives (Senate, No. 2105, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	X	Walsh, C.
Y	Mariano	X	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	X	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
X	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	*Wagner		

YEAS: 151

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 8, 2012.

Yea and Nay No. 190

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Norton to grant easements and restrictions over certain town-owned land (see House, No. 3431).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	*Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
X	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	*Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	*Vieira
Y	*Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 8, 2012.

Yea and Nay No. 191

On passing to be engrossed, in concurrence, the Senate Bill adopting the revised uniform anatomical gift act (Senate, No. 2067).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	*Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	*Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
X	Basile	Y	Garry	Y	*Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	*Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrisi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	*Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 8, 2012.

Yea and Nay No. 192

On adoption of an amendment (offered by Messrs. Jones of North Reading, et als) to the Senate Bill providing access to forensic and scientific analysis (Senate, No. 1987, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	*Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
X	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
X	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	Y	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 34

NAYS: 121

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 8, 2012.

Yea and Nay No. 193

On passing to be engrossed, in concurrence, the Senate Bill providing access to forensic and scientific analysis (Senate, No. 1987, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
X	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 8, 2012.

Yea and Nay No. 194

On passing to be engrossed, in concurrence, the Senate Bill relative to renewable energy generation on closed landfills (Senate, No. 2074).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
X	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
X	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 154

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 195

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
X	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	X	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	X	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
X	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
X	Dempsey	X	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	X	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	X	Michlewitz	Y	Wagner		

YEAS: 146

NAYS: 0

N-V: 12

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 196

On adoption of an amendment (offered by Messrs. Lewis of Winchester, Vieira of Falmouth and Cantwell of Marshfield) to the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
X	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	X	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	*Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	X	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	*Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
X	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	X	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 150

NAYS: 0

N-V: 8

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 197

On adoption of an amendment (offered by Mr. Kaufman of Lexington) to the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
X	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	*deMacedo
Y	Binienda	X	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	*Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	*Stanley, H.	Y	Lombardo
Y	*Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	X	Toomey	Y	*Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 198

On adoption of amendments (offered by Mr. Jones of North Reading and other members of the House) to the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
X	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	X	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
X	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	X	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 199

On adoption of amendments (offered by Mr. Jones of North Reading and other members of the House) to the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	Y	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
X	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	X	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	X	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	X	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
X	Conroy	N	Kulik	N	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	X	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	X	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	*Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 34

NAYS: 116

N-V: 8

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 200

On adoption of an amendment (offered by Mr. Jones of North Reading and other members of the House) to the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	Y	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
X	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	X	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	*Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	X	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	X	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	X	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	X	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrise	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 34

NAYS: 117

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 15, 2012.

Yea and Nay No. 201

On passing to be engrossed, in concurrence, the Senate Bill improving the administration of state government and finance (Senate, No. 1940, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	*Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	X	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	X	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	X	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrisi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, February 29, 2012.

Yea and Nay No. 202

On passing to be engrossed, in concurrence, the Senate Bill relative to community housing and services (Senate, No. 1967, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	X	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
X	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 154

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 203

On passing, in concurrence, item 8910-0105 (Worcester County Sheriff's Office), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	*Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	*Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 204

On passing, in concurrence, item 8910-8200 (Barnstable County Sheriff's Office), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	*Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
X	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 205

On passing, in concurrence, item 8910-8300 (Bristol County Sheriff's Office), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	N	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	*Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
N	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	*Kane	Y	*Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	*Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	*Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	*Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 151

NAYS: 2

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 206

On passing, in concurrence, item 8910-8700 (Plymouth County Sheriff's Office), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	*Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	*Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
X	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 207

On passing, in concurrence, section 36, notwithstanding the objections of His Excellency the Governor (Bristol County Sheriff's Office) of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	*Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 7, 2012.

Yea and Nay No. 208

On passing, in concurrence, section 37, notwithstanding the objections of His Excellency the Governor (Plymouth County Sheriff's Office) of the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see Senate, No. 2112).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	*Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	X	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	X	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 28, 2012.

Yea and Nay No. 209

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	X	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	X	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
X	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	X	Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 28, 2012.

Yea and Nay No. 210

On adoption of amendments (offered by Mr. Lyons of Andover and other members) to the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4000, amended).

N Mr. Speaker	N Ehrlich	N Moran	N Walsh, C.
N Mariano	N Fallon	N Murphy, C.	N Walsh, M.
N Haddad	N Farley-Bouvier	N Murphy, J.	N Walsh, S.
N Rushing	N Fennell	N Murphy, K.	N Walz
N Reinstein	N Fernandes	N Nangle	N Wolf
N Aguiar	N Ferrante	X Naughton	N Jones
N Andrews	N Finn	N Nyman	N Peterson
N Arciero	N Forry	N O'Day	N Hill
N Ashe	N Fox	N O'Flaherty	N Poirier
N Atkins	N Fresolo	N Parisella	Y Adams
N Atsalis	N Galvin	N Peake	N Barrows
N Ayers	N Garballey	N Peisch	N Bastien
N Balser	N Garlick	N Petrolati	N Beaton
N Basile	N Garry	N Pignatelli	N Boldyga
N Benson	N Gobi	N Provost	N deMacedo
N Binienda	N Golden	N Puppolo	N D'Emilia
N Bradley	N Hecht	N Rogers	Y Diehl
N Brady	Y Henriquez	N Rosa	N Durant
N Brodeur	N Hogan	N Sanchez	Y Fattman
N Cabral	N Holmes	N Sannicandro	N Ferguson
N Calter	N Honan	N Scaccia	N Frost
N Campbell	N Kafka	N Schmid	N Gifford
N Canavan	N Kane	N Scibak	N Harrington
N Cantwell	N Kaufman	N Sciortino	Y Howitt
N Cariddi	N Keenan	N Smith	N Humason
N Chan	N Khan	N Smizik	N Hunt
N Coakley-Rivera	N Kocot	N Speliotis	Y Kuros
N Collins	N Koczera	N Spiliotis	Y Levy
N Conroy	N Kulik	N Stanley, H.	Y Lombardo
N Coppinger	N Lawn	N Stanley, T.	Y Lyons
N Costello	N Lewis	N Story	Y O'Connell
N Creedon	N Linsky	N Straus	Y Orrall
N Curran	N Madden	N Sullivan	N Ross
N Cusack	N Mahoney	N Swan	N Smola
N Dempsey	N Malia	N Timilty	N Vieira
N Devers	N Mark	N Toomey	Y Webster
N DiNatale	N Markey	N Torrisi	Y Winslow
N Donato	N McMurtry	N Turner	N Wong
N Dwyer	N Miceli	N Vallee	
N Dykema	N Michlewitz	N Wagner	

YEAS: 13

NAYS: 144

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, March 28, 2012.

Yea and Nay No. 211

On passing to be engrossed the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4000, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
X	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 156

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 4, 2012.

Yea and Nay No. 212

On passing to be engrossed the House Bill protecting volunteer fire-fighters and emergency medical technicians from dismissal (House, No. 537).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
X	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
X	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	*Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 4, 2012.

Yea and Nay No. 213

On passing to be engrossed, in concurrence, the Senate Bill relative to medical emergency response plans for schools (Senate, No. 2132, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
X	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
X	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	X	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 154

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
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QUORUM ROLL CALL

NO. 214 WAS EXPUNGED

House of Representatives, April 12, 2012.

Ordered, That, notwithstanding the provisions of any rule or procedure to the contrary, quorum roll call Yea and Nay No. 214 held on Wednesday, April 11, 2012 shall be rescinded and that any record of said roll call shall be expunged.

House of Representatives, April 12, 2012

A D O P T E D



, Clerk.

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 11, 2012.

Yea and Nay No. 215

On adoption of an amendment (offered by Mr. Jones of North Reading, et als) to the House Order relative to special procedures for consideration of the General Appropriation Bill for the fiscal year 2013 (House, No. 4099).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
X	Benson	X	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	X	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
X	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	Y	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	X	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	*Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 32

NAYS: 119

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 11, 2012.

Yea and Nay No. 216

On adoption of the House Order relative to special procedures for consideration of the General Appropriation Bill for the fiscal year 2013 (House, No. 4099).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	*Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
X	Benson	X	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	X	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	*Schmid	N	Gifford
Y	Canavan	Y	Kane	X	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
X	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	X	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	*Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 119

NAYS: 31

N-V: 8

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 217

On adoption of a further amendment to the amendment (Mr. Jones of North Reading, et als) (offered by Mr. Kaufman of Lexington) (sales tax rollback) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	N	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	N	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	N	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	N	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 119

NAYS: 37

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 218

On adoption of a further amendment to the amendment (Mr. Jones of North Reading, et als) (offered by Mr. Kulik of Worthington) (municipal gas tax) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	N	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	*Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	*Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	*Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	N	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
X	Dempsey	Y	Malia	N	Timilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
N	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	*Wagner		

YEAS: 117

NAYS: 38

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 219

On adoption of a further amendment to the amendment (Mr. Barrows of Mansfield) (offered by Mr. Kaufman of Lexington) (cell phone taxation) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	N	Ehrlich	Y	Moran	N	Walsh, C.
Y	Mariano	N	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	N	Nyman	N	Peterson
N	Arciero	Y	Forry	Y	O'Day	N	Hill
N	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	N	Fresolo	Y	Parisella	N	Adams
N	Atsalis	Y	Galvin	Y	Peake	N	Barrows
N	Ayers	Y	Garballey	N	Peisch	N	Bastien
N	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	N	Garry	N	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	N	Rogers	N	Diehl
Y	Brady	Y	Henriquez	N	Rosa	N	Durant
Y	Brodeur	N	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
N	Calter	Y	Honan	Y	Scaccia	N	Frost
N	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
N	*Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	N	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	N	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	N	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	N	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	N	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
N	DiNatale	Y	Markey	N	Torrise	N	Winslow
Y	Donato	N	McMurtry	Y	Turner	N	Wong
N	Dwyer	N	Miceli	Y	Vallee		
N	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 93

NAYS: 64

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 220

On adoption of an amendment (meals tax holiday) (offered by Mrs. O'Connell of Taunton, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N Mr. Speaker	N Ehrlich	N Moran	N Walsh, C.
N Mariano	N Fallon	N Murphy, C.	N Walsh, M.
N Haddad	N Farley-Bouvier	N Murphy, J.	N Walsh, S.
N Rushing	P Fennell	N Murphy, K.	N Walz
N Reinstein	N Fernandes	N Nangle	N Wolf
N Aguiar	N Ferrante	X Naughton	Y Jones
N Andrews	N Finn	N Nyman	Y Peterson
N Arciero	X Forry	N O'Day	Y Hill
N Ashe	N Fox	N O'Flaherty	Y Poirier
N Atkins	N Fresolo	N Parisella	Y Adams
N Atsalis	N Galvin	N Peake	Y Barrows
N Ayers	X Garballey	N Peisch	Y Bastien
N Balser	N Garlick	N Petrolati	Y Beaton
N Basile	Y Garry	N Pignatelli	Y Boldyga
N Benson	N Gobi	N Provost	Y deMacedo
N Binienda	N Golden	N Puppolo	Y D'Emilia
N Bradley	N Hecht	N Rogers	Y Diehl
N Brady	N Henriquez	N Rosa	Y Durant
N Brodeur	N Hogan	N Sanchez	Y Fattman
N Cabral	N Holmes	N Sannicandro	Y Ferguson
N Calter	N Honan	N Scaccia	Y Frost
N Campbell	N Kafka	N Schmid	Y Gifford
N Canavan	N Kane	N Scibak	Y Harrington
N Cantwell	N Kaufman	N Sciortino	Y Howitt
N Cariddi	N Keenan	N Smith	Y Humason
N Chan	N Khan	N Smizik	Y Hunt
N Coakley-Rivera	N Kocot	N Speliotis	Y Kuros
N Collins	N Koczera	N Spiliotis	Y Levy
N Conroy	N Kulik	Y Stanley, H.	Y Lombardo
N Coppinger	N Lawn	N Stanley, T.	Y Lyons
N Costello	N Lewis	N Story	Y O'Connell
N Creedon	N Linsky	N Straus	Y Orrall
N Curran	N Madden	N Sullivan	Y Ross
N Cusack	N Mahoney	N Swan	Y Smola
N Dempsey	N Malia	N Timilty	Y Vieira
N Devers	N Mark	N Toomey	Y Webster
N DiNatale	N Markey	N Torrisi	Y Winslow
N Donato	N McMurtry	Y Turner	P Wong
N Dwyer	Y Miceli	N *Vallee	
N Dykema	N Michlewitz	N Wagner	

YEAS: 36

NAYS: 117

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
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Monday, April 23, 2012.

Yea and Nay No. 221

On adoption of a further amendment to the amendment (Mr. Winslow of Norfolk) (offered by Mr. Kaufman of Lexington) (cigarette prices) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	N	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	*Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	P	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrise	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	*Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 122

NAYS: 34

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 222

On adoption of an amendment (special education circuit breaker) (offered by Mr. Hill of Ipswich, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	X	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	Y	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 34

NAYS: 121

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 223

On adoption of an amendment, as amended (vocational schools) (offered by Mr. Jones of North Reading, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	N	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	N	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	*Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 154

NAYS: 2

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 224

On adoption of consolidated amendments (local aid and education)
(offered by Mr. Dempsey of Haverhill, et als) to the House Bill making
appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	*Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 156

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 225

On adoption of amendments (community preservation act) (offered by Mr. Kulik of Worthington) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	*Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	*Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 226

On adoption of an amendment (public expenditures) (offered by Mr. Fattman of Sutton) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N Mr. Speaker	N Ehrlich	N Moran	N Walsh, C.
N Mariano	N Fallon	N Murphy, C.	N Walsh, M.
N Haddad	N Farley-Bouvier	N Murphy, J.	N Walsh, S.
N *Rushing	N Fennell	N Murphy, K.	N Walz
N Reinstein	N Fernandes	N Nangle	N *Wolf
N Aguiar	N Ferrante	X Naughton	Y Jones
N Andrews	N Finn	N Nyman	Y Peterson
N Arciero	N Forry	N O'Day	Y Hill
N Ashe	N Fox	N O'Flaherty	Y Poirier
N Atkins	N Fresolo	N Parisella	Y Adams
N Atsalis	N Galvin	N Peake	Y Barrows
N Ayers	N Garballey	N Peisch	Y Bastien
N Balser	N Garlick	N Petrolati	Y Beaton
N Basile	N Garry	N Pignatelli	Y Boldyga
N Benson	N Gobi	N Provost	Y deMacedo
N Binienda	N Golden	N Puppolo	Y D'Emilia
N Bradley	N Hecht	N Rogers	Y Diehl
N Brady	N Henriquez	N Rosa	Y Durant
N Brodeur	N Hogan	N Sanchez	Y Fattman
N *Cabral	N Holmes	N Sannicandro	Y Ferguson
N Calter	N Honan	N Scaccia	Y Frost
N Campbell	N Kafka	N Schmid	Y Gifford
N Canavan	N Kane	N Scibak	Y Harrington
N Cantwell	N Kaufman	N Sciortino	Y Howitt
N Cariddi	N Keenan	N Smith	Y Humason
N Chan	N Khan	N Smizik	Y Hunt
N Coakley-Rivera	N Kocot	N Speliotis	Y Kuros
N Collins	X Koczera	N Spiliotis	Y Levy
N Conroy	N Kulik	Y Stanley, H.	Y Lombardo
N Coppinger	N Lawn	N Stanley, T.	Y Lyons
N Costello	N Lewis	N Story	Y O'Connell
N Creedon	N Linsky	N Straus	Y Orrall
N Curran	N Madden	N Sullivan	Y Ross
N Cusack	N Mahoney	N Swan	Y Smola
N Dempsey	N Malia	N Timilty	Y Vieira
N Devers	N Mark	N Toomey	Y Webster
N DiNatale	N Markey	N Torrisi	Y Winslow
N Donato	N McMurtry	N Turner	Y Wong
N Dwyer	N Miceli	X Vallee	
N Dykema	N Michlewitz	N Wagner	

YEAS: 34

NAYS: 121

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 227

On adoption of an amendment (collection of state money) (offered by Mr. Winslow of Norfolk) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
Y	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	*Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	Y	Turner	Y	Wong
N	Dwyer	N	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 37

NAYS: 118

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, April 23, 2012.

Yea and Nay No. 228

On adoption of an amendment (credit card audits) (offered by Mrs. O'Connell of Taunton) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
Y	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	Y	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
Y	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	*Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
Y	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 40

NAYS: 115

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 229

On adoption of an amendment (mortgage refinance program)
(offered by Mr. Winslow of Norfolk) to the House Bill making appro-
priations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	*Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	*Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	N	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	*Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	N	Levy
N	Conroy	N	*Kulik	Y	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	Y	Stanley, T.	N	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	N	Orrall
N	*Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	N	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 30

NAYS: 126

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 230

On adoption of consolidated amendments, as amended (housing and social services) (offered by Mr. Dempsey of Haverhill, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	*Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 5

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 231

On adoption of an amendment (MBTA expansion) (offered by Mr. Jones of North Reading, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	X	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	X	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	N	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	Y	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	*Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	N	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	*Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 31

NAYS: 124

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 232

On adoption of a further amendment (transportation costs) (offered by Mr. Straus of Mattapoisett) to an amendment (Mr. Winslow of Norfolk) (high occupancy tolling) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	*Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	X	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	*Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Timilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 122

NAYS: 34

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 233

On adoption of an amendment (power outages) (offered by Mr. Winslow of Norfolk) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
Y	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	Y	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	*Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	Y	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 38

NAYS: 119

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 234

On adoption of consolidated amendments, as amended (veterans and soldiers homes) (offered by Mr. Dempsey of Haverhill, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 157

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 235

On suspension of Rule 1A in order that the House be authorized to
continue to meet beyond the hour of nine o'clock P.M.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	N	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Timilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	X	Wagner		

YEAS: 121

NAYS: 34

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, April 24, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 236

On adoption of an amendment (prison inmate fees) (offered by Mrs. Poirier of North Attleborough, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	Y	Nangle	N	Wolf
Y	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
Y	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	*Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	*Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	Y	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	Y	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
Y	Canavan	N	Kane	N	Sciabak	Y	Harrington
Y	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	Y	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	Y	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	N	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 44

NAYS: 112

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 237

On adoption of consolidated amendments (health and human services and elder affairs) (offered by Mr. Dempsey of Haverhill, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	*Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	*Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	*Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	*Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	*Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	*Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
X	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	X	Vallee		
Y	Dykema	Y	*Michlewitz	Y	Wagner		

YEAS: 150

NAYS: 5

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 238

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	X	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 156

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 239

On suspension of Rule 1A in order that the House might continue to
meet beyond the hour of 9 o'clock P.M.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	*Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	N	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Timilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 123

NAYS: 34

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 240

On adoption of an amendment (indigent legal fees) (offered by Messrs. Lyons of Andover and Levy of Marlborough) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	X	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	N	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	*Kulik	Y	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	Y	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 36

NAYS: 120

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 241

On adoption of consolidated amendments (Judiciary and Public Safety) (offered by Mr. Dempsey of Haverhill, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	P	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 156

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 242

On adoption of a further amendment (electronic benefit transfer cards) (offered by Ms. Walz of Boston) to the amendment (offered by Mrs. O'Connell of Taunton, et als) to the House Bill making appropriations for the fiscal year 2013 (House, No. 4100, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	N	Walsh, M.
Y	Haddad	N	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
N	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	N	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
N	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	N	Forry	N	O'Day	Y	Hill
Y	Ashe	N	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	Y	Gobi	N	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	N	Hecht	Y	Rogers	Y	Diehl
Y	Brady	N	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	N	Sanchez	Y	Fattman
Y	*Cabral	Y	Holmes	N	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	N	Kaufman	N	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
N	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	N	Lewis	N	Story	Y	O'Connell
X	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	N	Swan	Y	Smola
Y	Dempsey	N	Malia	Y	Timilty	Y	Vieira
N	Devers	Y	Mark	N	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	N	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 123

NAYS: 33

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, April 25, 2012 [being the
legislative sitting of April 23].

Yea and Nay No. 243

On passing to be engrossed the House Bill making appropriations for
the fiscal year 2013 (House, No. 4101, published as amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
X	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	*Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 4

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 9, 2012.

Yea and Nay No. 244

On passing to be engrossed the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4071, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	X	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	X	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	*Kane	Y	Scibak	Y	Harrington
X	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	X	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
X	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
X	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 147

NAYS: 4

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 16, 2012.

Yea and Nay No. 245

On passing to be engrossed, in concurrence, the Senate Bill relative to veterans' access, livelihood, opportunity, and resources (Senate, No. 2254, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	X	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	X	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	X	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	*Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 154

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 16, 2012.

Yea and Nay No. 246

On adoption of amendments (offered by Mr. Sciortino of Medford) to the House Bill preventing unlawful and unnecessary foreclosures (House, No. 4087, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	X	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	X	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	X	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	*Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	P	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	X	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	*Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 16, 2012.

Yea and Nay No. 247

On adoption of amendments (offered by Mr. Winslow of Norfolk) to the House Bill preventing unlawful and unnecessary foreclosures (House, No. 4087, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	N	Jones
N	Andrews	N	Finn	N	Nyman	N	Peterson
N	Arciero	X	Forry	N	O'Day	N	Hill
N	Ashe	N	Fox	N	O'Flaherty	N	Poirier
N	Atkins	N	Fresolo	X	Parisella	N	Adams
N	Atsalis	N	Galvin	N	Peake	N	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	N	Garlick	N	Petrolati	N	Beaton
N	Basile	N	Garry	X	Pignatelli	N	Boldyga
N	Benson	N	Gobi	N	Provost	N	deMacedo
N	Binienda	N	Golden	N	Puppolo	N	D'Emilia
N	Bradley	N	Hecht	N	Rogers	N	Diehl
N	Brady	N	Henriquez	N	Rosa	N	Durant
N	Brodeur	N	Hogan	N	Sanchez	N	Fattman
N	Cabral	N	Holmes	N	Sannicandro	N	Ferguson
N	Calter	N	Honan	N	Scaccia	N	Frost
N	Campbell	N	Kafka	N	Schmid	N	Gifford
N	Canavan	N	Kane	N	Scibak	X	Harrington
N	Cantwell	N	Kaufman	N	Sciortino	N	Howitt
N	*Cariddi	N	Keenan	N	Smith	N	Humason
N	Chan	N	Khan	N	Smizik	N	Hunt
Y	Coakley-Rivera	N	Kocot	N	Speliotis	P	Kuros
N	Collins	N	Koczera	N	Spiliotis	N	Levy
N	Conroy	N	Kulik	N	Stanley, H.	N	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	X	Lyons
N	Costello	N	Lewis	N	Story	N	O'Connell
N	Creedon	N	Linsky	N	Straus	N	Orrall
N	Curran	N	Madden	N	Sullivan	N	Ross
N	Cusack	N	Mahoney	Y	Swan	N	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	N	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	N	Wong
N	Dwyer	N	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 3

NAYS: 148

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 16, 2012.

Yea and Nay No. 248

On passing to be engrossed the House Bill preventing unlawful and unnecessary foreclosures (House, No. 4096, published as amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	*Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	X	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	X	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	X	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	X	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	P	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	X	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 151

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 16, 2012.

Yea and Nay No. 249

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Essex to sell or lease certain real property at Conomo Point (see Senate, No. 2246).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	X	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	X	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	X	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	X	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	X	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 23, 2012.

Yea and Nay No. 250

On passing to be enacted the engrossed [land taking] Bill authorizing the city of Holyoke to convey a certain parcel of land to the Holyoke Community College Foundation (see House, No. 3849, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	*Ashe	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	X	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	*Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	X	Rogers	Y	Diehl
Y	Brady	X	Henriquez	Y	Rosa	Y	*Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
X	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	*Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	*Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	*Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	*Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	*Miceli	Y	*Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 151

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 23, 2012.

Yea and Nay No. 251

On passing to be enacted the engrossed [land taking] Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant easements within Monroe State Forest (see Senate, No. 1988, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	*Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	X	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	X	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	X	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	*Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	*Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	*Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	*Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 23, 2012.

Yea and Nay No. 252

On adoption of an amendment (offered by Ms. Provost of Somerville, et als) to the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4110, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	Y	Walsh, C.
N	Mariano	N	Fallon	X	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
X	Rushing	N	Fennell	N	Murphy, K.	Y	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	N	Jones
Y	Andrews	N	Finn	N	Nyman	N	Peterson
N	Arciero	N	Forry	N	O'Day	N	Hill
N	Ashe	N	Fox	N	O'Flaherty	N	Poirier
Y	Atkins	N	*Fresolo	N	Parisella	N	Adams
N	Atsalis	N	Galvin	N	Peake	N	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	X	Garlick	N	Petrolati	N	Beaton
N	Basile	N	Garry	N	Pignatelli	N	Boldyga
N	Benson	N	Gobi	Y	Provost	N	deMacedo
N	Binienda	N	Golden	N	Puppolo	N	D'Emilia
N	Bradley	N	Hecht	X	Rogers	N	Diehl
N	Brady	N	Henriquez	N	Rosa	N	Durant
N	Brodeur	N	Hogan	N	Sanchez	N	Fattman
N	Cabral	N	Holmes	N	Sannicandro	N	Ferguson
N	Calter	N	Honan	Y	Scaccia	N	Frost
N	Campbell	N	Kafka	N	Schmid	N	Gifford
N	Canavan	N	Kane	Y	Scibak	N	Harrington
N	Cantwell	N	Kaufman	Y	Sciortino	N	Howitt
N	Cariddi	N	*Keenan	N	Smith	N	Humason
N	Chan	Y	Khan	N	Smizik	N	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	N	Kuros
N	Collins	N	Koczera	Y	Spiliotis	Y	Levy
N	Conroy	Y	Kulik	N	Stanley, H.	N	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	N	Lyons
N	Costello	N	Lewis	Y	Story	N	O'Connell
N	Creedon	N	*Linsky	N	Straus	N	Orrall
N	Curran	N	Madden	N	Sullivan	N	Ross
N	Cusack	N	Mahoney	N	Swan	N	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	N	Webster
N	DiNatale	N	Markey	N	Torrissi	N	Winslow
N	Donato	N	McMurtry	Y	Turner	N	Wong
N	Dwyer	N	*Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 14

NAYS: 139

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 23, 2012.

Yea and Nay No. 253

On a question: "Shall the decision of the Chair stand as the judgment of the House?" in regards to a point of order raised by Mr. Donato of Medford relative to an amendment (offered by Mr. Diehl of Whitman, et als) to the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4110, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	X	Garlick	Y	Petrolati	N	Beaton
Y	Basile	X	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	X	Rogers	N	Diehl
Y	Brady	X	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	*Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 118

NAYS: 33

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 23, 2012.

Yea and Nay No. 254

On passing to be engrossed the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119, published as amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	X	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	X	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	X	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	*Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrisi	Y	Winslow
Y	Donato	Y	*McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 255

On adoption of an amendment (offered by Mr. Jones of North Reading, et als) to the House Order relative to special procedures for consideration of the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270) and the recommended House text (see House document numbered 4127) (House, No. 4128).

N Mr. Speaker	N Ehrlich	N Moran	N Walsh, C.
N Mariano	N Fallon	N Murphy, C.	N Walsh, M.
N Haddad	N Farley-Bouvier	N Murphy, J.	N Walsh, S.
N Rushing	N Fennell	N Murphy, K.	N Walz
N Reinstein	X Fernandes	N Nangle	N Wolf
N Aguiar	N Ferrante	X Naughton	Y Jones
N Andrews	N Finn	N Nyman	Y Peterson
N Arciero	N *Forry	N O'Day	Y Hill
N Ashe	N Fox	N O'Flaherty	Y Poirier
N Atkins	N Fresolo	N Parisella	Y Adams
N Atsalis	N Galvin	N *Peake	Y Barrows
N Ayers	N Garballey	N Peisch	Y Bastien
N Balser	N Garlick	N Petrolati	Y Beaton
N Basile	N Garry	N Pignatelli	Y Boldyga
N Benson	N Gobi	N Provost	Y deMacedo
N Binienda	N Golden	N Puppolo	Y D'Emilia
N Bradley	N Hecht	N Rogers	Y Diehl
N Brady	N Henriquez	N Rosa	Y Durant
N Brodeur	N Hogan	N Sanchez	Y Fattman
N Cabral	N Holmes	N Sannicandro	Y Ferguson
N Calter	N Honan	Y Scaccia	Y Frost
N Campbell	N Kafka	N Schmid	Y Gifford
N Canavan	N Kane	N Scibak	Y Harrington
N Cantwell	X Kaufman	N Sciortino	Y Howitt
N Cariddi	N Keenan	N Smith	Y Humason
N Chan	N Khan	N Smizik	Y Hunt
N Coakley-Rivera	N Kocot	N Speliotis	Y Kuros
N Collins	X Koczera	Y Spiliotis	Y Levy
N *Conroy	N Kulik	Y Stanley, H.	X Lombardo
N Coppinger	N Lawn	N Stanley, T.	Y Lyons
N Costello	N Lewis	N Story	Y O'Connell
N Creedon	N Linsky	N Straus	Y Orrall
N Curran	N Madden	N Sullivan	Y Ross
N Cusack	N Mahoney	N Swan	Y Smola
N Dempsey	N Malia	N Timilty	Y Vieira
N Devers	N Mark	N Toomey	Y Webster
N DiNatale	N Markey	N Torrisi	Y Winslow
N Donato	N McMurtry	N Turner	Y Wong
N Dwyer	N Miceli	N Vallee	
N Dykema	N Michlewitz	X Wagner	

YEAS: 35

NAYS: 117

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 256

On a question: "Shall the decision of the chair stand as the judgment of the House?" in relation to a point of order raised by Mr. Jones of North Reading concerning the report of the committee on Ways and Means on the House Bill relative to improving quality in early education and care by family child care providers (House, No. 3986).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	*Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	*Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	*Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrise	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	*Michlewitz	Y	Wagner		

YEAS: 121

NAYS: 32

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 257

On passing section 3 (gaming commission background checks), notwithstanding the objections of His Excellency the Governor, contained in the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4079).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	*Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	X	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	*Wagner		

YEAS: 152

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 258

On passing section 4 (gaming commission background checks), notwithstanding the objections of His Excellency the Governor, contained in the engrossed Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4079).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	*Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	*Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	*Wagner		

YEAS: 153

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 259

On passing to be engrossed the House Bill improving quality in early education and care by family child care providers (House, No. 3986).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	*Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	X	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	X	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	*Campbell	Y	Kafka	Y	Schmid	N	Gifford
X	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	X	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 117

NAYS: 32

N-V: 9

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 260

On a motion (Mr. Peterson of Grafton) to recommit the House Bill reforming election laws (House, No. 4120) to the committee on Ways and Means.

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	X	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	X	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
X	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	X	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	X	Webster
N	DiNatale	N	Markey	N	Torrisi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 32

NAYS: 117

N-V: 9

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 261

On adoption of an amendment (offered by Mr. Finn of West Springfield) to the House Bill reforming election laws (House, No. 4120).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	*Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	X	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
X	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	*Story	Y	O'Connell
Y	Creedon	Y	Linsky	X	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	X	Webster
Y	DiNatale	Y	Markey	Y	Torrisi	Y	Winslow
Y	Donato	Y	McMurtry	Y	*Turner	Y	Wong
Y	Dwyer	Y	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 149

NAYS: 0

N-V: 9

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 262

On a question: "Shall the decision of the chair stand as the judgment of the House?" in relation to a point of order raised by Mr. O'Day of West Boylston relative to an amendment (offered by Mr. deMacedo of Plymouth, et als) to the House Bill reforming election laws (House, No. 4120).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	N	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
N	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	N	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	X	Petrolati	N	Beaton
Y	Basile	N	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	X	Henriquez	N	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
N	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
X	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	N	Spiliotis	N	Levy
X	Conroy	Y	Kulik	N	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
X	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	X	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	X	Webster
N	DiNatale	N	Markey	Y	Torrise	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
N	Dwyer	N	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 101

NAYS: 44

N-V: 13

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 263

On adoption of an amendment (offered by Mr. Frost of Auburn) to the House Bill reforming election laws (House, No. 4120).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	X	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	N	Garlick	X	Petrolati	Y	Beaton
N	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
Y	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
X	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	Y	Spiliotis	Y	Levy
X	Conroy	N	Kulik	Y	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	X	Straus	Y	Orrall
N	Curran	N	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	X	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	N	Miceli	X	Vallee		
Y	Dykema	N	Michlewitz	N	Wagner		

YEAS: 37

NAYS: 110

N-V: 11

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 264

On adoption of an amendment (offered by Mr. Scaccia of Boston) to the House Bill reforming election laws (House, No.4120).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	X	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	N	Jones
N	Andrews	N	Finn	N	Nyman	N	Peterson
N	Arciero	N	Forry	N	O'Day	N	Hill
N	Ashe	N	Fox	N	O'Flaherty	N	Poirier
N	Atkins	N	Fresolo	N	Parisella	N	Adams
N	Atsalis	N	Galvin	N	Peake	N	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	N	Garlick	X	Petrolati	N	Beaton
N	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
N	Benson	N	Gobi	N	Provost	N	deMacedo
N	Binienda	N	Golden	N	Puppolo	N	D'Emilia
N	Bradley	N	Hecht	Y	Rogers	N	Diehl
N	Brady	X	Henriquez	N	Rosa	N	Durant
N	Brodeur	N	Hogan	N	Sanchez	N	Fattman
N	Cabral	N	Holmes	N	Sannicandro	N	Ferguson
N	Calter	N	Honan	Y	Scaccia	N	Frost
N	Campbell	N	Kafka	N	Schmid	N	Gifford
X	Canavan	N	Kane	N	Scibak	N	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	N	Howitt
N	Cariddi	N	Keenan	N	Smith	N	Humason
N	Chan	N	Khan	N	Smizik	N	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	N	Kuros
N	Collins	X	Koczera	Y	Spiliotis	N	Levy
X	Conroy	N	Kulik	Y	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	N	Lyons
N	Costello	N	Lewis	N	Story	N	O'Connell
Y	Creedon	N	Linsky	X	Straus	N	Orrall
N	Curran	N	Madden	N	Sullivan	N	Ross
N	Cusack	N	Mahoney	N	Swan	N	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	X	Webster
Y	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	N	Wong
N	Dwyer	N	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 10

NAYS: 136

N-V: 12

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement

JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 265

On adoption of an amendment (offered by Mr. Scaccia of Boston) to the House Bill reforming election laws (House, No. 4120).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	Y	Fallon	Y	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	X	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
Y	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	X	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	Y	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
Y	Calter	N	Honan	Y	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
X	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	Y	Spiliotis	Y	Levy
X	Conroy	N	Kulik	Y	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
Y	Creedon	N	Linsky	N	*Straus	Y	Orrall
N	Curran	N	Madden	Y	Sullivan	Y	Ross
N	Cusack	N	Mahoney	Y	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	X	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	Y	Miceli	X	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 43

NAYS: 105

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, May 30, 2012.

Yea and Nay No. 266

On passing to be engrossed the House Bill reforming election laws
 (House, No. 4120, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	*Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	X	Petrolati	N	Beaton
Y	Basile	N	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
N	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
X	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	N	Spiliotis	N	Levy
X	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	*Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	X	Webster
Y	DiNatale	Y	Markey	Y	Torrise	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	N	Miceli	X	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 112

NAYS: 36

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement

JOURNAL OF THE HOUSE.

Thursday, May 31, 2012.

Yea and Nay No. 267

On adoption of a further amendment (offered by Mr. Michlewitz of Boston) to the amendment offered by Mr. deMacedo of Plymouth, et al, to the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	N	Fallon	N	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
X	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	X	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	X	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
N	Arciero	X	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	N	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	X	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	N	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	N	Rogers	N	Diehl
Y	Brady	Y	Henriquez	X	Rosa	N	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
N	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	X	Lombardo
Y	Coppinger	Y	Lawn	N	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
X	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	*Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	N	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
N	DiNatale	Y	Markey	Y	Torrissi	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
N	Dwyer	N	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 105

NAYS: 43

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, May 31, 2012.

Yea and Nay No. 268

On adoption of an amendment (offered by Mr. Bastien of Gardner) to the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4132, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	Y	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
X	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	X	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	Y	Jones
X	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	X	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
Y	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	X	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	Y	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	X	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	X	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	N	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
Y	Canavan	Y	Kane	N	Scibak	Y	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	X	Stanley, H.	X	Lombardo
N	Coppinger	N	Lawn	Y	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
X	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	N	*Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	Y	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	Y	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
Y	Dwyer	N	Miceli	N	*Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 40

NAYS: 105

N-V: 13

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 269

On adoption of an amendment (offered by Ms. Andrews of Orange) to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	Y	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
N	Aguiar	N	Ferrante	X	Naughton	N	Jones
Y	Andrews	N	Finn	N	Nyman	N	Peterson
N	Arciero	N	Forry	N	O'Day	N	Hill
N	Ashe	N	Fox	N	O'Flaherty	N	Poirier
N	Atkins	N	Fresolo	N	Parisella	N	Adams
N	Atsalis	N	Galvin	N	Peake	N	Barrows
N	Ayers	N	Garballey	N	Peisch	N	Bastien
N	Balser	N	Garlick	N	Petrolati	N	Beaton
N	Basile	Y	Garry	N	Pignatelli	N	Boldyga
N	Benson	N	Gobi	Y	Provost	N	deMacedo
N	Binienda	N	Golden	N	Puppolo	N	D'Emilia
N	Bradley	N	Hecht	N	Rogers	N	Diehl
N	Brady	N	Henriquez	N	Rosa	N	Durant
N	Brodeur	N	Hogan	N	Sanchez	N	Fattman
N	Cabral	N	Holmes	N	Sannicandro	N	Ferguson
N	Calter	N	Honan	N	Scaccia	N	Frost
N	Campbell	N	Kafka	N	Schmid	N	Gifford
N	Canavan	N	Kane	N	Scibak	N	Harrington
N	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
N	Cariddi	N	Keenan	N	Smith	N	Humason
N	Chan	N	Khan	N	Smizik	N	Hunt
Y	Coakley-Rivera	N	Kocot	N	Speliotis	N	Kuros
N	Collins	X	Koczera	N	Spiliotis	N	Levy
N	Conroy	N	Kulik	N	Stanley, H.	N	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	N	Lyons
N	Costello	N	Lewis	N	Story	N	O'Connell
N	Creedon	N	Linsky	N	Straus	N	Orrall
N	Curran	P	Madden	N	Sullivan	N	Ross
N	Cusack	N	Mahoney	N	Swan	N	Smola
N	Dempsey	N	Malia	N	Timilty	N	Vieira
N	Devers	N	Mark	N	Toomey	N	Webster
N	DiNatale	N	Markey	N	Torrise	N	Winslow
N	Donato	N	McMurtry	Y	Turner	N	Wong
N	Dwyer	X	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 7

NAYS: 146

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 270

On adoption of a further amendment (offered by Ms. Forry of Boston, et als) to the amendment offered by Ms. Forry of Boston, et al, to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	Y	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	X	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 155

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 271

On adoption of an amendment (offered by Mr. Jones of North Reading, et al) to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended).

N Mr. Speaker	N Ehrlich	N Moran	N Walsh, C.
N Mariano	N Fallon	N Murphy, C.	N Walsh, M.
N Haddad	N Farley-Bouvier	N Murphy, J.	N Walsh, S.
N Rushing	N Fennell	N Murphy, K.	N Walz
N Reinstein	N Fernandes	N Nangle	N Wolf
N Aguiar	N Ferrante	N Naughton	Y Jones
N Andrews	N Finn	N Nyman	Y Peterson
N Arciero	N Forry	N O'Day	Y Hill
N Ashe	N Fox	N O'Flaherty	Y Poirier
N Atkins	N Fresolo	N Parisella	Y Adams
N Atsalis	N Galvin	N Peake	Y Barrows
N Ayers	N Garballey	N Peisch	Y Bastien
N Balser	N Garlick	N Petrolati	Y Beaton
N Basile	N Garry	N Pignatelli	Y Boldyga
N Benson	N Gobi	N Provost	Y deMacedo
N Binienda	N Golden	N Puppolo	Y D'Emilia
N Bradley	N Hecht	N Rogers	Y Diehl
N Brady	N Henriquez	N Rosa	Y Durant
N Brodeur	N Hogan	N Sanchez	Y Fattman
N Cabral	N Holmes	N Sannicandro	Y Ferguson
N Calter	N Honan	N Scaccia	Y Frost
N Campbell	N Kafka	N Schmid	Y Gifford
N Canavan	N Kane	N Scibak	Y Harrington
N Cantwell	X Kaufman	N Sciortino	Y Howitt
N Cariddi	N Keenan	N Smith	Y Humason
N Chan	N Khan	N Smizik	Y Hunt
N Coakley-Rivera	N Kocot	N Speliotis	Y Kuros
N Collins	X Koczera	N Spiliotis	Y Levy
N Conroy	N Kulik	Y Stanley, H.	Y Lombardo
N Coppinger	N Lawn	N Stanley, T.	Y Lyons
N Costello	N Lewis	N Story	Y O'Connell
N Creedon	N Linsky	N Straus	Y Orrall
N Curran	P Madden	N Sullivan	Y Ross
N Cusack	N Mahoney	N Swan	Y Smola
N Dempsey	N Malia	N Timilty	Y Vieira
N Devers	N Mark	N Toomey	Y Webster
N DiNatale	N Markey	N Torrisi	Y Winslow
N Donato	N McMurtry	N Turner	Y Wong
N Dwyer	X Miceli	N Vallee	
N Dykema	N Michlewitz	N *Wagner	

YEAS: 34

NAYS: 120

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 272

On adoption of an amendment (offered by Mr. Winslow of Norfolk) to the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended).

N	Mr. Speaker	N	Ehrlich	N	Moran	N	Walsh, C.
N	Mariano	N	Fallon	N	Murphy, C.	N	Walsh, M.
N	Haddad	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Rushing	N	Fennell	N	Murphy, K.	N	Walz
N	Reinstein	N	Fernandes	N	Nangle	N	Wolf
X	Aguiar	N	Ferrante	N	Naughton	Y	Jones
N	Andrews	N	Finn	N	Nyman	Y	Peterson
N	Arciero	N	Forry	N	O'Day	Y	Hill
N	Ashe	N	Fox	N	O'Flaherty	Y	Poirier
N	Atkins	N	Fresolo	N	Parisella	Y	Adams
N	Atsalis	N	Galvin	N	Peake	Y	Barrows
N	Ayers	N	Garballey	N	Peisch	Y	Bastien
N	Balser	N	Garlick	N	Petrolati	Y	Beaton
N	Basile	N	Garry	N	Pignatelli	Y	Boldyga
N	Benson	N	Gobi	N	Provost	Y	deMacedo
N	Binienda	N	Golden	N	Puppolo	Y	D'Emilia
N	Bradley	N	Hecht	N	Rogers	Y	Diehl
N	Brady	N	Henriquez	N	Rosa	Y	Durant
N	Brodeur	N	Hogan	N	Sanchez	Y	Fattman
N	Cabral	Y	Holmes	N	Sannicandro	Y	Ferguson
N	Calter	N	Honan	N	Scaccia	Y	Frost
N	Campbell	N	Kafka	N	Schmid	Y	Gifford
N	Canavan	N	Kane	N	Scibak	Y	Harrington
N	Cantwell	X	Kaufman	N	Sciortino	Y	Howitt
N	Cariddi	N	Keenan	N	Smith	Y	Humason
N	Chan	N	Khan	N	Smizik	Y	Hunt
N	Coakley-Rivera	N	Kocot	N	Speliotis	Y	Kuros
N	Collins	X	Koczera	N	Spiliotis	Y	Levy
N	Conroy	N	Kulik	N	Stanley, H.	Y	Lombardo
N	Coppinger	N	Lawn	N	Stanley, T.	Y	Lyons
N	Costello	N	Lewis	N	Story	Y	O'Connell
N	Creedon	N	Linsky	N	Straus	Y	Orrall
N	Curran	P	Madden	N	Sullivan	Y	Ross
N	Cusack	N	Mahoney	N	Swan	Y	Smola
N	Dempsey	N	Malia	N	Timilty	Y	Vieira
N	Devers	N	Mark	N	Toomey	Y	Webster
N	DiNatale	N	Markey	N	Torrissi	Y	Winslow
N	Donato	N	McMurtry	N	Turner	Y	Wong
N	Dwyer	X	Miceli	N	Vallee		
N	Dykema	N	Michlewitz	N	Wagner		

YEAS: 34

NAYS: 119

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 273

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	X	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	Y	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	Y	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	Y	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	Y	Kuros
Y	Collins	X	Koczera	X	Spiliotis	Y	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Costello	Y	Lewis	X	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	X	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 151

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 274

On suspension of Rule 1A in order that the House might continue to meet beyond the hour of 9 o'clock P.M.

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	Y	Naughton	N	Jones
Y	Andrews	Y	Finn	Y	Nyman	N	Peterson
Y	Arciero	Y	Forry	Y	O'Day	N	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	N	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	N	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Benson	Y	Gobi	Y	Provost	N	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	N	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	N	Frost
Y	Campbell	Y	Kafka	Y	Schmid	N	Gifford
Y	Canavan	Y	Kane	Y	Scibak	N	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	N	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	N	Humason
Y	Chan	Y	Khan	Y	Smizik	N	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	X	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	N	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	N	Orrall
Y	Curran	Y	Madden	Y	Sullivan	N	Ross
Y	Cusack	Y	Mahoney	Y	Swan	N	Smola
Y	Dempsey	Y	Malia	Y	Tamilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	N	Webster
Y	DiNatale	Y	Markey	Y	Torrise	N	Winslow
Y	Donato	Y	McMurtry	Y	Turner	N	Wong
Y	Dwyer	X	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 123

NAYS: 30

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, June 5, 2012.

Yea and Nay No. 275

On passing to be engrossed, in concurrence, the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270, amended).

Y	Mr. Speaker	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Mariano	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Rushing	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Reinstein	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Aguiar	Y	Ferrante	Y	Naughton	Y	Jones
Y	Andrews	Y	Finn	Y	Nyman	Y	Peterson
Y	Arciero	Y	Forry	Y	O'Day	Y	Hill
Y	Ashe	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atkins	Y	Fresolo	Y	Parisella	N	Adams
Y	Atsalis	Y	Galvin	Y	Peake	Y	Barrows
Y	Ayers	Y	Garballey	Y	Peisch	N	Bastien
Y	Balser	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Basile	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Benson	Y	Gobi	Y	Provost	Y	deMacedo
Y	Binienda	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Bradley	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brady	Y	Henriquez	Y	Rosa	Y	Durant
Y	Brodeur	Y	Hogan	Y	Sanchez	N	Fattman
Y	Cabral	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Calter	Y	Honan	Y	Scaccia	Y	Frost
Y	Campbell	Y	Kafka	Y	Schmid	Y	Gifford
Y	Canavan	Y	Kane	Y	Scibak	Y	Harrington
Y	Cantwell	X	Kaufman	Y	Sciortino	Y	Howitt
Y	Cariddi	Y	Keenan	Y	Smith	Y	Humason
Y	Chan	Y	Khan	Y	Smizik	Y	Hunt
Y	Coakley-Rivera	Y	Kocot	Y	Speliotis	N	Kuros
Y	Collins	X	Koczera	Y	Spiliotis	N	Levy
Y	Conroy	Y	Kulik	Y	Stanley, H.	N	Lombardo
Y	Coppinger	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Costello	Y	Lewis	Y	Story	Y	O'Connell
Y	Creedon	Y	Linsky	Y	Straus	Y	Orrall
Y	Curran	Y	Madden	Y	Sullivan	Y	Ross
Y	Cusack	Y	Mahoney	Y	Swan	Y	Smola
Y	Dempsey	Y	Malia	Y	Timilty	Y	Vieira
Y	Devers	Y	Mark	Y	Toomey	Y	Webster
Y	DiNatale	Y	Markey	Y	Torrise	Y	Winslow
Y	Donato	Y	McMurtry	Y	Turner	Y	Wong
Y	Dwyer	X	Miceli	Y	Vallee		
Y	Dykema	Y	Michlewitz	Y	Wagner		

YEAS: 148

NAYS: 7

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 276

Quorum roll call.

Y	Mr. Speaker	Y	Ehrlich	X	Murphy, C.	Y	Walsh, M.
Y	Mariano	Y	Fallon	Y	Murphy, J.	Y	Walsh, S.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, K.	Y	Walz
Y	Rushing	Y	Fennell	Y	Nangle	Y	Wolf
Y	Reinstein	Y	Fernandes	Y	Naughton	Y	Jones
X	Aguiar	Y	Ferrante	Y	Nyman	Y	Peterson
Y	Andrews	Y	Finn	Y	O'Day	Y	Hill
Y	Arciero	X	Forry	Y	O'Flaherty	Y	Poirier
Y	Ashe	X	Fox	Y	Parisella	Y	Adams
Y	Atkins	Y	Fresolo	Y	Peake	Y	Barrows
X	Atsalis	Y	Galvin	Y	Peisch	Y	Bastien
Y	Ayers	Y	Garballey	Y	Petrolati	Y	Beaton
Y	Balser	Y	Garlick	Y	Pignatelli	Y	Boldyga
Y	Basile	Y	Garry	Y	Provost	Y	deMacedo
Y	Benson	Y	Gobi	Y	Puppolo	Y	D'Emilia
Y	Binienda	Y	Golden	Y	Rogers	Y	Diehl
Y	Bradley	Y	Hecht	Y	Rosa	Y	Durant
Y	Brady	Y	Henriquez	Y	Sanchez	Y	Fattman
Y	Brodeur	Y	Hogan	Y	Sannicandro	Y	Ferguson
Y	Cabral	X	Holmes	Y	Scaccia	Y	Frost
Y	Calter	Y	Honan	Y	Schmid	Y	Gifford
Y	Campbell	Y	Kafka	Y	Scibak	Y	Harrington
Y	Canavan	Y	Kaufman	X	Sciortino	Y	Howitt
Y	Cantwell	X	Keenan	Y	Smith	Y	Humason
Y	Cariddi	Y	Khan	Y	Smizik	Y	Hunt
Y	Chan	Y	Kocot	Y	Spiliotis	Y	Kuros
X	Coakley-Rivera	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Collins	Y	Kulik	X	Stanley, H.	Y	Lombardo
Y	Conroy	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Coppinger	Y	Lewis	Y	Story	Y	O'Connell
Y	Costello	Y	Linsky	Y	Straus	Y	Orrall
Y	Creedon	Y	Madden	Y	Sullivan	Y	Ross
Y	Curran	Y	Mahoney	Y	Swan	Y	Smola
Y	Cusack	X	Malia	Y	Tamilty	X	Vieira
X	Dempsey	Y	Mark	X	Toomey	Y	Webster
Y	Devers	Y	Markey	Y	Torrisi	Y	Winslow
Y	DiNatale	Y	McMurtry	Y	Turner	Y	Wong
Y	Donato	Y	Miceli	Y	Vallee		
Y	Dwyer	Y	Michlewitz	Y	Wagner		
Y	Dykema	Y	Moran	Y	Walsh, C.		

YEAS: 143

NAYS: 0

N-V: 14

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 277

On a question: "Shall the decision of the chair stand as the judgment of the House?" in relation to a point of order raised by Mr. Moran of Boston relative to an amendment (offered by Mr. Winslow of Norfolk, et al) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161).

Y	Mr. Speaker	Y	Ehrlich	X	Murphy, C.	Y	Walsh, M.
Y	Mariano	Y	Fallon	Y	Murphy, J.	Y	Walsh, S.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, K.	Y	Walz
Y	Rushing	Y	Fennell	Y	Nangle	Y	Wolf
Y	Reinstein	Y	Fernandes	Y	Naughton	N	Jones
Y	Aguiar	Y	Ferrante	Y	Nyman	N	Peterson
Y	Andrews	Y	Finn	Y	O'Day	N	Hill
Y	Arciero	Y	Forry	Y	O'Flaherty	N	Poirier
Y	Ashe	Y	Fox	Y	Parisella	N	Adams
Y	Atkins	Y	Fresolo	Y	Peake	N	Barrows
Y	Atsalis	Y	Galvin	Y	Peisch	N	Bastien
Y	Ayers	Y	Garballey	Y	Petrolati	N	Beaton
Y	Balser	Y	Garlick	Y	Pignatelli	N	Boldyga
Y	Basile	Y	Garry	Y	Provost	N	deMacedo
Y	Benson	Y	Gobi	Y	Puppolo	N	D'Emilia
Y	Binienda	Y	Golden	Y	Rogers	N	Diehl
Y	Bradley	Y	Hecht	Y	Rosa	N	Durant
Y	Brady	X	Henriquez	Y	Sanchez	N	Fattman
Y	Brodeur	Y	Hogan	Y	Sannicandro	N	Ferguson
Y	Cabral	X	Holmes	Y	Scaccia	N	Frost
Y	Calter	Y	Honan	Y	Schmid	N	Gifford
Y	Campbell	Y	Kafka	Y	Scibak	N	Harrington
Y	Canavan	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cantwell	Y	Keenan	Y	Smith	N	Humason
Y	Cariddi	Y	Khan	Y	Smizik	N	Hunt
Y	Chan	Y	Kocot	Y	Spiliotis	N	Kuros
Y	Coakley-Rivera	Y	Koczera	Y	Spiliotis	N	Levy
Y	Collins	Y	Kulik	Y	*Stanley, H.	N	Lombardo
Y	Conroy	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Coppinger	Y	Lewis	Y	Story	N	O'Connell
Y	Costello	Y	Linsky	Y	Straus	N	Orrall
Y	Creedon	Y	Madden	Y	Sullivan	N	Ross
Y	Curran	Y	Mahoney	Y	Swan	N	Smola
Y	Cusack	Y	Malia	Y	Timilty	X	Vieira
Y	Dempsey	Y	Mark	Y	Toomey	N	Webster
Y	Devers	Y	Markey	Y	Torrisi	N	Winslow
Y	DiNatale	Y	McMurtry	Y	Turner	N	Wong
Y	Donato	Y	Miceli	Y	Vallee		
Y	Dwyer	Y	Michlewitz	Y	Wagner		
Y	Dykema	Y	Moran	Y	Walsh, C.		

YEAS: 121

NAYS: 32

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 278

On adoption of an amendment (offered by Mr. Winslow of Norfolk, et al) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161).

N	Mr. Speaker	N	Ehrlich	X	Murphy, C.	N	Walsh, M.
N	Mariano	N	Fallon	N	Murphy, J.	N	Walsh, S.
N	Haddad	N	Farley-Bouvier	N	Murphy, K.	N	Walz
N	Rushing	N	Fennell	N	Nangle	N	Wolf
N	Reinstein	N	Fernandes	N	Naughton	Y	Jones
N	Aguiar	N	Ferrante	N	Nyman	Y	Peterson
N	Andrews	N	Finn	N	O'Day	Y	Hill
N	Arciero	N	Forry	N	O'Flaherty	Y	Poirier
N	Ashe	N	Fox	N	Parisella	Y	Adams
N	Atkins	N	Fresolo	N	Peake	Y	Barrows
N	Atsalis	N	Galvin	N	Peisch	Y	Bastien
N	Ayers	N	Garballey	N	Petrolati	Y	Beaton
N	Balser	N	Garlick	Y	Pignatelli	Y	Boldyga
N	Basile	N	Garry	N	Provost	Y	deMacedo
N	Benson	N	Gobi	N	Puppolo	Y	D'Emilia
N	Binienda	N	*Golden	N	Rogers	Y	Diehl
N	Bradley	N	Hecht	N	Rosa	Y	Durant
N	Brady	X	Henriquez	N	Sanchez	Y	Fattman
N	Brodeur	N	Hogan	N	Sannicandro	Y	Ferguson
N	Cabral	X	Holmes	N	Scaccia	Y	Frost
N	Calter	N	Honan	N	Schmid	Y	Gifford
N	Campbell	N	Kafka	N	Scibak	Y	Harrington
N	Canavan	N	Kaufman	N	Sciortino	Y	Howitt
N	Cantwell	N	Keenan	N	Smith	Y	Humason
N	Cariddi	N	Khan	N	Smizik	Y	Hunt
N	Chan	N	Kocot	N	Spiliotis	Y	Kuros
N	Coakley-Rivera	N	Koczera	N	Spiliotis	Y	Levy
N	Collins	N	Kulik	N	*Stanley, H.	Y	Lombardo
N	Conroy	N	Lawn	N	Stanley, T.	Y	Lyons
N	Coppinger	N	Lewis	N	Story	Y	O'Connell
N	Costello	N	Linsky	N	Straus	Y	Orrall
N	Creedon	N	Madden	N	Sullivan	Y	Ross
N	Curran	N	Mahoney	N	Swan	Y	Smola
N	Cusack	N	Malia	N	Timilty	X	Vieira
N	Dempsey	N	Mark	N	Toomey	Y	Webster
N	Devers	X	Markey	N	Torrisi	Y	Winslow
Y	DiNatale	N	McMurtry	N	Turner	Y	Wong
N	Donato	N	Miceli	X	Vallee		
N	Dwyer	N	Michlewitz	N	Wagner		
N	Dykema	N	Moran	N	Walsh, C.		

YEAS: 34

NAYS: 117

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 279

On adoption of an amendment (offered by Mr. Bastien of Gardner) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161).

N	Mr. Speaker	N	Ehrlich	X	Murphy, C.	N	Walsh, M.
N	Mariano	N	Fallon	N	Murphy, J.	N	Walsh, S.
N	Haddad	N	Farley-Bouvier	N	Murphy, K.	N	Walz
N	Rushing	N	Fennell	N	Nangle	N	Wolf
N	Reinstein	N	Fernandes	N	Naughton	Y	Jones
N	Aguiar	N	Ferrante	N	Nyman	Y	Peterson
N	Andrews	N	Finn	N	O'Day	Y	Hill
N	Arciero	N	Forry	N	O'Flaherty	Y	Poirier
N	Ashe	N	Fox	N	Parisella	Y	Adams
N	Atkins	N	Fresolo	N	Peake	Y	Barrows
N	Atsalis	N	Galvin	N	Peisch	Y	Bastien
N	Ayers	N	Garballey	N	Petrolati	Y	Beaton
N	Balser	N	Garlick	N	Pignatelli	Y	Boldyga
N	Basile	N	Garry	N	Provost	Y	deMacedo
N	Benson	N	Gobi	N	Puppolo	Y	D'Emilia
N	Binienda	N	Golden	N	Rogers	Y	Diehl
N	Bradley	N	Hecht	N	Rosa	Y	Durant
N	Brady	X	Henriquez	N	Sanchez	Y	Fattman
N	Brodeur	N	Hogan	N	Sannicandro	Y	Ferguson
N	Cabral	X	Holmes	N	Scaccia	Y	Frost
N	Calter	N	Honan	N	Schmid	Y	Gifford
N	Campbell	N	Kafka	N	Scibak	Y	Harrington
N	Canavan	N	Kaufman	N	Sciortino	Y	Howitt
N	Cantwell	N	Keenan	N	Smith	Y	Humason
N	Cariddi	N	Khan	N	Smizik	Y	Hunt
N	Chan	N	Kocot	N	Spiliotis	Y	Kuros
N	Coakley-Rivera	N	Koczera	N	Spiliotis	Y	Levy
N	Collins	N	Kulik	N	*Stanley, H.	Y	Lombardo
N	Conroy	N	Lawn	N	Stanley, T.	Y	Lyons
N	Coppinger	N	Lewis	N	Story	Y	O'Connell
N	Costello	N	Linsky	N	Straus	Y	Orrall
N	Creedon	N	Madden	N	Sullivan	Y	Ross
N	Curran	N	Mahoney	N	Swan	Y	Smola
N	Cusack	N	Malia	N	Timilty	X	Vieira
N	Dempsey	N	Mark	N	Toomey	Y	Webster
N	Devers	N	Markey	N	Torrissi	Y	Winslow
N	DiNatale	N	McMurtry	N	Turner	Y	Wong
N	Donato	N	Miceli	N	Vallee		
N	Dwyer	N	Michlewitz	N	Wagner		
Y	Dykema	N	Moran	N	Walsh, C.		

YEAS: 33

NAYS: 120

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 280

On a question: "Shall the decision of the chair stand as the judgment of the House?" in relation to a point of order raised by Mr. Moran of Boston relative to an amendment (offered by Mrs. O'Connell of Taunton) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161).

Y	Mr. Speaker	Y	Ehrlich	X	Murphy, C.	Y	Walsh, M.
Y	Mariano	Y	Fallon	Y	Murphy, J.	Y	Walsh, S.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, K.	Y	Walz
Y	Rushing	Y	Fennell	Y	Nangle	Y	Wolf
Y	Reinstein	Y	Fernandes	Y	Naughton	N	Jones
Y	Aguiar	Y	Ferrante	Y	Nyman	N	Peterson
Y	Andrews	Y	Finn	Y	O'Day	N	Hill
Y	Arciero	Y	Forry	Y	O'Flaherty	N	Poirier
Y	Ashe	Y	Fox	Y	Parisella	N	Adams
Y	Atkins	Y	Fresolo	Y	Peake	N	Barrows
Y	Atsalis	Y	Galvin	Y	Peisch	N	Bastien
Y	Ayers	Y	Garballey	Y	Petrolati	N	Beaton
Y	Balser	Y	Garlick	Y	Pignatelli	N	Boldyga
Y	Basile	Y	Garry	Y	Provost	N	deMacedo
Y	Benson	Y	Gobi	Y	Puppolo	N	D'Emilia
Y	Binienda	Y	Golden	Y	Rogers	N	Diehl
Y	Bradley	Y	Hecht	Y	Rosa	N	Durant
Y	Brady	Y	Henriquez	Y	Sanchez	N	Fattman
Y	Brodeur	Y	Hogan	Y	Sannicandro	N	Ferguson
Y	Cabral	X	Holmes	Y	Scaccia	N	Frost
Y	Calter	Y	Honan	Y	Schmid	N	Gifford
Y	Campbell	Y	Kafka	Y	Scibak	N	Harrington
Y	Canavan	Y	Kaufman	Y	Sciortino	N	Howitt
Y	Cantwell	Y	Keenan	Y	Smith	N	Humason
Y	Cariddi	Y	Khan	Y	Smizik	N	Hunt
Y	Chan	Y	Kocot	Y	Spiliotis	N	Kuros
Y	Coakley-Rivera	Y	Koczera	Y	Spiliotis	N	Levy
Y	Collins	Y	Kulik	Y	*Stanley, H.	N	Lombardo
Y	Conroy	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Coppinger	Y	Lewis	Y	Story	N	O'Connell
Y	Costello	Y	Linsky	Y	Straus	N	Orrall
Y	Creedon	Y	Madden	Y	Sullivan	N	Ross
Y	Curran	Y	Mahoney	Y	Swan	N	Smola
Y	Cusack	Y	Malia	Y	Timilty	X	Vieira
Y	Dempsey	Y	Mark	Y	Toomey	N	Webster
Y	Devers	Y	Markey	Y	Torrisi	N	Winslow
Y	DiNatale	Y	McMurtry	Y	Turner	N	Wong
Y	Donato	Y	Miceli	X	Vallee		
Y	Dwyer	Y	Michlewitz	Y	Wagner		
Y	Dykema	Y	Moran	Y	Walsh, C.		

YEAS: 121

NAYS: 32

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 281

On adoption of an amendment (offered by Mr. Jones of North Reading, et al) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161, amended).

N	Mr. Speaker	N	Ehrlich	X	Murphy, C.	N	Walsh, M.
N	Mariano	N	Fallon	N	Murphy, J.	N	Walsh, S.
N	Haddad	N	Farley-Bouvier	N	Murphy, K.	N	Walz
N	Rushing	N	Fennell	N	Nangle	X	Wolf
N	Reinstein	N	Fernandes	N	Naughton	Y	Jones
N	Aguiar	N	Ferrante	N	Nyman	Y	Peterson
N	Andrews	N	Finn	N	O'Day	Y	Hill
N	Arciero	N	Forry	N	O'Flaherty	Y	Poirier
N	Ashe	N	Fox	N	Parisella	Y	Adams
N	Atkins	N	Fresolo	N	Peake	Y	Barrows
N	Atsalis	N	Galvin	N	Peisch	Y	Bastien
N	Ayers	N	Garballey	N	Petrolati	Y	Beaton
N	Balser	N	Garlick	N	Pignatelli	Y	Boldyga
N	Basile	N	Garry	N	Provost	Y	deMacedo
N	Benson	N	Gobi	N	Puppolo	Y	D'Emilia
N	Binienda	N	Golden	N	Rogers	Y	Diehl
N	Bradley	N	Hecht	N	Rosa	Y	Durant
N	Brady	N	Henriquez	N	Sanchez	Y	Fattman
N	Brodeur	N	Hogan	N	Sannicandro	Y	Ferguson
N	Cabral	N	Holmes	N	Scaccia	Y	Frost
N	Calter	N	Honan	N	Schmid	Y	Gifford
N	Campbell	N	Kafka	N	Scibak	Y	Harrington
N	Canavan	N	Kaufman	N	Sciortino	Y	Howitt
N	Cantwell	N	Keenan	N	Smith	Y	Humason
N	Cariddi	N	Khan	N	Smizik	Y	Hunt
N	Chan	N	Kocot	N	Spiliotis	Y	Kuros
N	Coakley-Rivera	N	Koczera	N	Spiliotis	Y	Levy
N	Collins	N	Kulik	Y	Stanley, H.	Y	Lombardo
N	Conroy	N	Lawn	N	Stanley, T.	Y	Lyons
N	Coppinger	N	Lewis	N	Story	Y	O'Connell
N	Costello	N	Linsky	N	Straus	Y	Orrall
N	Creedon	N	Madden	N	Sullivan	Y	Ross
N	Curran	N	Mahoney	N	Swan	Y	Smola
N	Cusack	N	*Malia	N	Timilty	X	Vieira
N	Dempsey	N	Mark	N	Toomey	Y	Webster
N	Devers	N	Markey	N	Torrissi	Y	Winslow
N	DiNatale	N	McMurtry	N	Turner	Y	Wong
N	Donato	N	Miceli	N	Vallee		
N	Dwyer	N	Michlewitz	N	Wagner		
N	Dykema	N	Moran	N	Walsh, C.		

YEAS: 33

NAYS: 121

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 282

On adoption of an amendment (offered by Mr. Barrows of Mansfield) to the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4161, amended).

Y	Mr. Speaker	Y	Ehrlich	X	Murphy, C.	Y	Walsh, M.
Y	Mariano	Y	Fallon	Y	Murphy, J.	Y	Walsh, S.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, K.	Y	Walz
Y	Rushing	Y	Fennell	Y	Nangle	Y	Wolf
Y	Reinstein	Y	Fernandes	Y	Naughton	Y	Jones
Y	Aguiar	Y	Ferrante	Y	Nyman	Y	Peterson
Y	Andrews	Y	Finn	Y	O'Day	Y	Hill
Y	Arciero	Y	Forry	Y	O'Flaherty	Y	Poirier
Y	Ashe	Y	Fox	Y	Parisella	Y	Adams
Y	Atkins	Y	Fresolo	Y	Peake	Y	Barrows
Y	Atsalis	Y	Galvin	Y	Peisch	Y	Bastien
Y	Ayers	Y	Garballey	Y	Petrolati	Y	Beaton
Y	Balser	Y	Garlick	Y	Pignatelli	Y	Boldyga
Y	Basile	Y	Garry	Y	Provost	Y	deMacedo
Y	Benson	Y	Gobi	Y	Puppolo	Y	D'Emilia
Y	Binienda	Y	Golden	X	Rogers	Y	Diehl
Y	Bradley	Y	Hecht	Y	Rosa	Y	Durant
Y	Brady	Y	Henriquez	Y	Sanchez	Y	Fattman
Y	Brodeur	Y	Hogan	Y	Sannicandro	Y	Ferguson
Y	Cabral	Y	Holmes	Y	Scaccia	Y	Frost
Y	Calter	Y	Honan	Y	Schmid	Y	Gifford
Y	Campbell	Y	Kafka	Y	Scibak	Y	Harrington
Y	Canavan	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cantwell	Y	Keenan	Y	Smith	Y	Humason
Y	Cariddi	Y	Khan	Y	Smizik	Y	Hunt
Y	Chan	Y	Kocot	Y	Spiliotis	Y	Kuros
Y	Coakley-Rivera	Y	Koczera	Y	Spiliotis	Y	Levy
Y	Collins	Y	Kulik	Y	Stanley, H.	Y	Lombardo
Y	Conroy	Y	Lawn	Y	Stanley, T.	Y	Lyons
Y	Coppinger	Y	Lewis	Y	Story	Y	O'Connell
Y	Costello	Y	Linsky	Y	Straus	Y	Orrall
Y	Creedon	Y	Madden	Y	Sullivan	Y	Ross
Y	Curran	Y	Mahoney	Y	Swan	Y	Smola
Y	Cusack	Y	Malia	Y	Timilty	X	Vieira
Y	Dempsey	Y	Mark	Y	Toomey	Y	Webster
Y	Devers	Y	Markey	Y	Torrisi	Y	Winslow
Y	DiNatale	Y	McMurtry	Y	Turner	Y	Wong
Y	Donato	Y	Miceli	Y	Vallee		
Y	Dwyer	Y	Michlewitz	Y	Wagner		
Y	Dykema	Y	Moran	Y	Walsh, C.		

YEAS: 154

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 13, 2012.

Yea and Nay No. 283

On passing to be engrossed the House Bill relative to an accelerated transportation development and improvement program for the Commonwealth (House, No. 4174, published as amended).

Y	Mr. Speaker	Y	Ehrlich	X	Murphy, C.	Y	Walsh, M.
Y	Mariano	Y	Fallon	Y	Murphy, J.	Y	Walsh, S.
Y	Haddad	Y	Farley-Bouvier	Y	Murphy, K.	Y	Walz
Y	Rushing	Y	Fennell	Y	Nangle	Y	Wolf
Y	Reinstein	Y	Fernandes	Y	Naughton	N	Jones
Y	Aguiar	Y	Ferrante	Y	Nyman	Y	Peterson
Y	Andrews	Y	Finn	Y	O'Day	N	Hill
Y	Arciero	Y	Forry	Y	O'Flaherty	Y	Poirier
Y	Ashe	Y	Fox	Y	Parisella	N	Adams
Y	Atkins	Y	Fresolo	Y	Peake	Y	Barrows
Y	Atsalis	Y	Galvin	Y	Peisch	N	Bastien
Y	Ayers	Y	Garballey	Y	Petrolati	N	Beaton
Y	Balser	Y	Garlick	Y	Pignatelli	N	Boldyga
Y	Basile	Y	Garry	Y	Provost	N	deMacedo
Y	Benson	Y	Gobi	Y	Puppolo	Y	D'Emilia
Y	Binienda	Y	Golden	Y	Rogers	Y	Diehl
Y	Bradley	Y	Hecht	Y	Rosa	N	Durant
Y	Brady	Y	Henriquez	Y	Sanchez	N	Fattman
Y	Brodeur	Y	Hogan	Y	Sannicandro	N	Ferguson
Y	Cabral	Y	Holmes	Y	Scaccia	N	Frost
Y	Calter	Y	Honan	Y	Schmid	N	Gifford
Y	Campbell	Y	Kafka	Y	Scibak	N	Harrington
Y	Canavan	Y	Kaufman	Y	Sciortino	Y	Howitt
Y	Cantwell	Y	Keenan	Y	Smith	N	Humason
Y	Cariddi	Y	Khan	Y	Smizik	N	Hunt
Y	Chan	Y	Kocot	Y	Spiliotis	N	Kuros
Y	Coakley-Rivera	Y	Koczera	Y	Spiliotis	N	Levy
Y	Collins	Y	Kulik	N	Stanley, H.	N	Lombardo
Y	Conroy	Y	Lawn	Y	Stanley, T.	N	Lyons
Y	Coppinger	Y	Lewis	Y	Story	Y	O'Connell
Y	Costello	Y	Linsky	Y	Straus	N	Orrall
Y	Creedon	Y	Madden	Y	Sullivan	Y	Ross
Y	Curran	Y	Mahoney	Y	Swan	N	Smola
Y	Cusack	Y	Malia	Y	Timilty	X	Vieira
Y	Dempsey	Y	Mark	Y	Toomey	N	Webster
Y	Devers	Y	Markey	Y	Torrisi	N	Winslow
Y	DiNatale	Y	McMurtry	Y	Turner	N	Wong
Y	Donato	Y	Miceli	Y	Vallee		
Y	Dwyer	Y	Michlewitz	Y	Wagner		
Y	Dykema	Y	Moran	Y	Walsh, C.		

YEAS: 130

NAYS: 25

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 20, 2012.

Yea and Nay No. 284

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Topsfield to convey certain conservation land (see House, No. 3719, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	X	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	X	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
X	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	*Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 20, 2012.

Yea and Nay No. 285

On passing to be engrossed the House Bill relative to financing improvements to the Commonwealth's transportation system (House, No. 4193, published as amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	X	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	X	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
X	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 286

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
X	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	X	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
X	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
X	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
X	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	X	Miceli	Y	Turner	Y	Wong

YEAS: 146

NAYS: 0

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 287

On adoption of an amendment (offered by Messrs. Winslow of Norfolk and Hunt of Sandwich) to the Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, amended).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	Y	Fallon	N	Murphy, C.	N	Walsh, M.
N	*Rushing	N	Farley-Bouvier	N	Murphy, J.	X	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
N	Aguiar	N	Fernandes	N	Nangle	N	Wolf
N	Andrews	N	Ferrante	X	Naughton	Y	Jones
N	Arciero	N	Finn	N	Nyman	Y	Peterson
X	Ashe	N	*Forry	N	O'Day	Y	Hill
N	Atkins	N	*Fox	N	O'Flaherty	Y	Poirier
N	Atsalis	N	Fresolo	N	Parisella	Y	Adams
N	Ayers	N	Galvin	N	Peake	Y	Barrows
N	Balser	N	Garballey	N	Peisch	Y	Bastien
N	Basile	N	Garlick	N	Petrolati	Y	Beaton
N	Benson	Y	Garry	N	Pignatelli	Y	Boldyga
N	Binienda	N	Gobi	N	Provost	Y	deMacedo
N	Bradley	N	Golden	N	Puppolo	Y	D'Emilia
N	Brady	N	Hecht	N	Rogers	Y	Diehl
N	Brodeur	N	*Henriquez	N	Rosa	Y	Durant
N	Cabral	N	Hogan	N	Sanchez	Y	Fattman
N	Calter	N	*Holmes	N	Sannicandro	Y	Ferguson
N	Campbell	N	Honan	N	Scaccia	Y	Frost
N	Canavan	N	Kafka	N	Schmid	Y	Gifford
Y	Cantwell	N	Kaufman	N	Scibak	Y	Harrington
N	Cariddi	N	Keenan	N	Sciortino	Y	Howitt
N	Chan	N	Khan	N	Smith	Y	Humason
N	*Coakley-Rivera	N	Kocot	N	Smizik	Y	Hunt
N	Collins	N	Koczera	N	Spiliotis	Y	Kuros
N	Conroy	N	Kulik	N	Spiliotis	Y	Levy
N	Coppinger	N	Lawn	X	Stanley, H.	Y	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	Y	Lyons
N	Creedon	N	Linsky	N	Story	Y	O'Connell
N	Curran	N	Madden	N	Straus	Y	Orrall
N	Cusack	N	Mahoney	N	Sullivan	Y	Ross
N	Dempsey	N	Malia	N	*Swan	Y	Smola
N	*Devers	N	Mark	N	Timilty	Y	Vieira
N	DiNatale	N	Markey	N	Toomey	Y	Webster
N	Donato	N	McMurtry	N	Torrise	Y	Winslow
N	Dwyer	Y	Miceli	N	Turner	Y	Wong

YEAS: 37

NAYS: 115

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 288

On passing to be engrossed, in concurrence, the Senate Bill relative to the emergency service response of public utility companies (Senate, No. 2143, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	*Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	*Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	X	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 289

On a question: "Shall the decision of the chair stand as the judgment of the House?" in relation to a point of order raised by Mr. O'Day of West Boylston relative to a further amendment (offered by Mr. Winslow of Norfolk) to the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	N	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	*Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	N	O'Connell
X	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrise	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 119

NAYS: 34

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 290

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	X	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	X	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	X	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	X	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	X	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
X	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
X	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 146

NAYS: 0

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 291

On adoption of an amendment (offered by Mr. Beaton of Shrewsbury, et al) to the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 292

On passing to be enacted the engrossed [state loan] Bill financing improvements to the Commonwealth's transportation system (see Senate, No. 2329).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	*Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	*Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 293

On adoption of amendments (offered by Mr. Kulik of Worthington) to the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	*Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
N	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	X	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 131

NAYS: 21

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 294

On passing to be enacted the engrossed Bill relative to an accelerated transportation development and improvement program for the Commonwealth (see House, No. 4174, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	X	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 127

NAYS: 24

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 295

On passing to be engrossed, in concurrence, the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	N	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
N	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	N	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	*Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	X	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 135

NAYS: 16

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, June 27, 2012.

Yea and Nay No. 296

On passing to be engrossed the House Bill relative to natural gas leaks (House, No. 4222, published as amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	X	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 151

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, June 28, 2012.

Yea and Nay No. 297

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	X	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	X	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
X	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	X	Malia	Y	Swan	Y	Smola
X	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrise	X	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 145

NAYS: 0

N-V: 11

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, June 28, 2012.

Yea and Nay No. 298

On passing to be engrossed, in concurrence, the Senate Bill designating certain bridges in the town of Bourne as the Staff Sergeant Matthew A. Pucino Bridges (Senate, No. 2218).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	X	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	*Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	Y	*Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrisi	X	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, June 28, 2012.

Yea and Nay No. 299

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the Senate amendment of the House Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4101) (for report, see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	X	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Pease	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrise	X	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 147

NAYS: 3

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, June 28, 2012.

Yea and Nay No. 300

On passing to be enacted the engrossed [land taking] [state loan] Bill establishing the social innovation financing trust fund and authorizing the lease of the Henderson Boat House (see House, No. 4219).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	X	Walsh, S.
Y	Reinstein	Y	Fennell	X	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	*Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	*Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	X	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
X	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	X	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	*Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	*Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	*Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrisi	X	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 146

NAYS: 0

N-V: 10

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 301

On ordering to a third reading the House Bill relative to third grade reading proficiency (House, No. 4243).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	*Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	*Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	X	Holmes	Y	Sannicandro	Y	Ferguson
X	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	X	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	X	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 151

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 302

On adoption of an amendment recommended by the Governor (for message, see House, No. 4240 – Attachment D) to the engrossed Bill relative to the electronic benefit transfer program (see House, No. 4237), being a printed copy of sections 52, 53, 54, 173 to 176, inclusive, and 228 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	N	Fallon	Y	Murphy, C.	N	Walsh, M.
X	Rushing	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
N	Aguiar	N	Fernandes	N	Nangle	N	Wolf
N	Andrews	N	Ferrante	N	Naughton	N	Jones
N	Arciero	N	Finn	N	Nyman	N	Peterson
N	Ashe	N	Forry	N	O'Day	N	Hill
N	Atkins	N	Fox	N	O'Flaherty	N	Poirier
N	Atsalis	N	Fresolo	N	Parisella	N	Adams
N	Ayers	N	Galvin	N	Peake	N	Barrows
N	Balser	N	Garballey	N	Peisch	N	Bastien
N	Basile	N	Garlick	N	Petrolati	N	Beaton
N	Benson	N	Garry	N	Pignatelli	N	Boldyga
N	Binienda	N	Gobi	N	Provost	N	deMacedo
N	Bradley	N	Golden	N	Puppolo	N	D'Emilia
N	Brady	N	Hecht	N	Rogers	N	Diehl
N	Brodeur	N	Henriquez	N	Rosa	N	Durant
N	Cabral	N	Hogan	N	Sanchez	N	Fattman
N	Calter	X	Holmes	N	Sannicandro	N	Ferguson
N	Campbell	N	Honan	N	Scaccia	N	Frost
N	Canavan	N	Kafka	N	Schmid	N	Gifford
N	Cantwell	N	Kaufman	N	Scibak	N	Harrington
N	Cariddi	N	Keenan	N	Sciortino	N	Howitt
N	Chan	N	Khan	N	Smith	N	Humason
N	Coakley-Rivera	N	Kocot	N	Smizik	N	Hunt
N	Collins	N	Koczera	N	Spiliotis	N	Kuros
N	Conroy	N	Kulik	N	Spiliotis	N	Levy
N	Coppinger	N	Lawn	N	Stanley, H.	X	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	N	Lyons
N	Creedon	N	Linsky	N	Story	N	O'Connell
N	Curran	N	Madden	N	Straus	N	Orrall
N	Cusack	N	Mahoney	N	Sullivan	N	Ross
N	Dempsey	N	Malia	N	Swan	N	Smola
N	Devers	N	Mark	N	Timilty	N	Vieira
N	DiNatale	N	Markey	N	Toomey	N	Webster
N	Donato	N	McMurtry	N	Torrise	N	Winslow
N	Dwyer	N	Miceli	N	Turner	N	Wong

YEAS: 1

NAYS: 152

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 303

On adoption of an amendment recommended by the Governor (for message, see House, No. 4240 – Attachment E) to the engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238), being a printed copy of sections 92 and 217 contained in the engrossed Bill making appropriations for the fiscal year 2013 (see House, No. 4200).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	N	Fallon	N	Murphy, C.	N	Walsh, M.
X	Rushing	Y	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
N	Aguiar	N	Fernandes	N	Nangle	Y	Wolf
Y	*Andrews	N	Ferrante	N	Naughton	N	Jones
N	Arciero	N	Finn	N	Nyman	N	Peterson
N	Ashe	N	Forry	N	O'Day	N	Hill
N	Atkins	Y	Fox	N	O'Flaherty	N	Poirier
N	Atsalis	N	Fresolo	N	Parisella	N	Adams
N	Ayers	N	Galvin	N	Peake	N	Barrows
Y	Balser	N	Garballey	N	Peisch	N	Bastien
N	Basile	N	Garlick	N	Petrolati	N	Beaton
N	Benson	N	Garry	N	Pignatelli	N	Boldyga
N	Binienda	N	Gobi	Y	Provost	N	deMacedo
N	Bradley	N	Golden	N	Puppolo	N	D'Emilia
N	Brady	Y	Hecht	N	Rogers	N	Diehl
N	Brodeur	N	Henriquez	N	Rosa	N	Durant
N	Cabral	N	Hogan	N	Sanchez	N	Fattman
N	Calter	X	Holmes	N	Sannicandro	N	Ferguson
N	Campbell	N	Honan	N	Scaccia	N	Frost
N	Canavan	N	Kafka	N	Schmid	N	Gifford
N	Cantwell	Y	Kaufman	N	Scibak	N	Harrington
N	Cariddi	N	Keenan	N	Sciortino	N	Howitt
N	Chan	Y	Khan	N	Smith	N	Humason
N	Coakley-Rivera	N	Kocot	Y	Smizik	N	Hunt
N	Collins	N	Koczera	N	Spiliotis	N	Kuros
N	Conroy	N	Kulik	N	Spiliotis	N	Levy
N	Coppinger	N	Lawn	X	Stanley, H.	X	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	N	Lyons
N	Creedon	N	Linsky	N	Story	N	O'Connell
N	Curran	N	Madden	N	Straus	N	Orrall
N	Cusack	N	Mahoney	N	Sullivan	N	Ross
N	Dempsey	N	Malia	Y	Swan	N	Smola
Y	Devers	N	Mark	N	Timilty	N	Vieira
N	DiNatale	N	Markey	N	Toomey	N	Webster
N	Donato	N	McMurtry	N	Torrise	N	Winslow
N	Dwyer	N	Miceli	N	Turner	N	Wong

YEAS: 12

NAYS: 140

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 304

On passing item 2330-0100 (marine fisheries), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	X	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	X	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 1

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 305

On passing item 5095-0015 (hopsital services), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	*Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	X	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	X	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 11, 2012.

Yea and Nay No. 306

On passing, notwithstanding the objections of His Excellency the Governor, section 186 (hospital services) of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
X	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	*Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballe	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	X	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	X	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 17, 2012.

Yea and Nay No. 307

On adoption of a further amendment (offered by Mr. Straus of Mattapoissett) to the amendment offered by Mr. Koczera of New Bedford to the House Order relative to prohibiting amendments to the Resolve approving and ratifying the Mashpee Wampanoag Tribe-Commonwealth of Massachusetts Tribal-State Compact, as appearing in House document numbered 4260 (for order, see House, No. 4259).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	Y	Fallon	N	Murphy, C.	N	Walsh, M.
N	Rushing	N	Farley-Bouvier	X	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
Y	Aguiar	N	Fernandes	N	Nangle	N	Wolf
N	Andrews	N	Ferrante	N	Naughton	Y	Jones
N	Arciero	N	Finn	N	Nyman	Y	Peterson
N	Ashe	N	Forry	N	O'Day	Y	Hill
N	Atkins	N	Fox	N	O'Flaherty	Y	Poirier
N	Atsalis	N	Fresolo	N	Parisella	N	Adams
N	Ayers	N	Galvin	N	Peake	Y	Barrows
N	Balser	N	Garballey	N	Peisch	Y	Bastien
N	Basile	N	Garlick	N	Petrolati	Y	Beaton
N	Benson	N	Garry	N	Pignatelli	Y	Boldyga
N	Binienda	N	Gobi	N	Provost	Y	deMacedo
N	Bradley	N	Golden	N	Puppolo	Y	D'Emilia
N	Brady	N	Hecht	Y	Rogers	Y	Diehl
N	Brodeur	N	Henriquez	N	Rosa	N	Durant
Y	Cabral	N	Hogan	N	Sanchez	N	Fattman
Y	Calter	N	Holmes	N	Sannicandro	Y	Ferguson
N	Campbell	N	*Honan	N	Scaccia	Y	Frost
N	Canavan	N	Kafka	Y	Schmid	Y	Gifford
N	Cantwell	N	Kaufman	N	Scibak	Y	Harrington
N	Cariddi	N	Keenan	N	Sciortino	Y	Howitt
N	Chan	N	Khan	N	Smith	Y	Humason
N	Coakley-Rivera	N	Kocot	N	Smizik	Y	Hunt
N	Collins	Y	Koczera	N	Spiliotis	N	Kuros
N	Conroy	N	Kulik	X	Spiliotis	Y	Levy
N	Coppinger	N	*Lawn	X	Stanley, H.	N	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	N	Lyons
N	Creedon	N	Linsky	N	Story	N	O'Connell
N	Curran	N	Madden	Y	Straus	Y	Orrall
N	Cusack	N	Mahoney	Y	Sullivan	Y	Ross
N	Dempsey	N	Malia	N	Swan	N	Smola
N	Devers	N	Mark	N	Timilty	N	Vieira
N	DiNatale	Y	Markey	N	Toomey	N	Webster
X	Donato	N	McMurtry	N	Torrise	Y	Winslow
N	Dwyer	N	Miceli	N	Turner	Y	Wong

YEAS: 33

NAYS: 119

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 17, 2012.

Yea and Nay No. 308

On adoption of an Order relative to prohibiting amendments to the Resolve approving and ratifying the Mashpee Wampanoag Tribe-Commonwealth of Massachusetts Tribal-State Compact, as appearing in House document numbered 4260 (for order, see House, No. 4259).

Y	Mr. Speaker	N	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	N	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
N	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
N	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
N	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	*Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	N	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	N	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	N	Straus	N	Orrall
Y	Cusack	Y	Mahoney	N	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	N	Markey	Y	Toomey	N	Webster
X	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 113

NAYS: 39

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 17, 2012.

Yea and Nay No. 309

On passing item 1599-6901 (human service salary reserve), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	*Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 17, 2012.

Yea and Nay No. 310

On passing item 2810-0100 (state parks and recreation), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	*Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 17, 2012.

Yea and Nay No. 311

On passing item 8324-0000 (Department of Fire Services), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	*Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
X	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 18, 2012.

Yea and Nay No. 312

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the House amendment of the Senate Bill to improve the administration of state government and finance (Senate, No. 1940) (for report, see Senate, No. 2342).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	X	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	*Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
X	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	*Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 18, 2012.

Yea and Nay No. 313

On passing to be engrossed the House Resolve relating to the tribal-state compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (printed in House, No. 4261).

Y	Mr. Speaker	N	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	N	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
N	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	X	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	N	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	N	Hecht	N	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
N	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
N	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	N	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	N	Smizik	Y	Hunt
Y	Collins	N	Koczera	Y	Spiliotis	Y	Kuros
N	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	N	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	N	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	*Miceli	Y	Turner	Y	Wong

YEAS: 121

NAYS: 32

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 18, 2012.

Yea and Nay No. 314

Quorum roll call.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	X	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	X	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 18, 2012.

Yea and Nay No. 315

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the Senate amendment of the House Bill relative to sentencing and improving law enforcement tools (House, No. 3818) (for report, see House document numbered 4286).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
N	Rushing	N	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	N	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	N	Forry	Y	O'Day	Y	Hill
Y	Atkins	N	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
N	Balser	X	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	N	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	N	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	N	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	N	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
N	Coakley-Rivera	Y	Kocot	N	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	N	Swan	Y	Smola
N	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 139

NAYS: 14

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 18, 2012.

Yea and Nay No. 316

On passing to be enacted the engrossed [land taking] Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Hopkinton (see House, No. 3909).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	X	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 317

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Reading to grant a utility easement over certain parcels of land (see House, No. 4170, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	*Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	*Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	*Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 318

On passing to be enacted the engrossed [land taking] Bill authorizing a lease of a certain parcel of land under the control of the Department of Fish and Game to the Bourne Water District for water distribution purposes (see Senate, No. 2215).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	*Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	X	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	*Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	*Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	*Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 319

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Hull to extend the lease of a certain building in the town (House, No. 3650, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	*Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	*Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 320

On passing to be enacted the engrossed [land taking] Bill authorizing the Nantucket Islands Land Bank to sell, convey or otherwise dispose of certain land situated in the town of Nantucket (see House, No. 3836).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	X	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 321

On passing to be enacted the engrossed [land taking] Bill providing for the lease and refurbishment of the Bathing Beach Bathhouse in the town of Hingham (see House, No. 3856, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	X	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	*Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 322

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Chelmsford to lease Sunny Meadow Farms (see House, No. 3881).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	*Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	X	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	*Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 323

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the the Senate amendments of the House Bill preventing unlawful and unnecessary foreclosures (House, No. 4096), (for report, see House, No. 4323).

Y	Mr. Speaker	Y	Dykema	Y	*Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	X	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	*Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 324

On passing to be engrossed, in concurrence, the Senate Bill regarding families and children engaged in services (Senate, No. 1963, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	*Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	*Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 325

On passing to be engrossed the House Bill establishing a temporary workers right to know (House, No. 4304, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	*Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	*Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 126

NAYS: 28

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 326

On passing item 0339-1001 (Commissioner of Probation), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	X	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	X	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	P	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
X	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
P	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	*Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 149

NAYS: 0

N-V: 7

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 327

On passing item 7004-3036 (housing services program), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	X	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
X	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, July 25, 2012.

Yea and Nay No. 328

On passing item 7008-0900 (Office of Travel and Tourism), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	X	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	*Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
X	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	X	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 151

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 329

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Groveland to provide for the construction and maintenance of a solar generating facility on land held for water supply purposes (see Senate, No. 2320).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	X	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	*Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	*Petrinati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
X	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	*Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	*Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	*Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	X	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	*Creedon	Y	Linsky	Y	Story	Y	O'Connell
X	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	X	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 0

N-V: 6

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 330

On passing to be enacted the engrossed Bill relative to early education and care by family child care providers (see House, No. 3986, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	*Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	*Petrinati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
X	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	*Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	*Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	*Smith	N	Humason
Y	*Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	X	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	*Creedon	Y	Linsky	Y	Story	N	O'Connell
X	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	X	Webster
Y	Donato	Y	McMurtry	Y	Torrissi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 120

NAYS: 31

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 331

On concurring with the Senate in its amendments, as amended, of the House Bill relative to certain controlled substances (House, No. 4160).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	X	Ehrlich	Y	Moran	Y	Walsh, C.
Y	*Haddad	Y	Fallon	X	Murphy, C.	X	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	*Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
X	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	*Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
X	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
X	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
X	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	X	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 148

NAYS: 0

N-V: 8

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 332

On adoption of an amendment (offered by Mrs. O'Connell of Taunton) to the House Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4324, amended).

N	Mr. Speaker	Y	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	Y	Fallon	X	Murphy, C.	N	Walsh, M.
N	Rushing	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
N	Aguiar	N	Fernandes	N	Nangle	N	Wolf
N	Andrews	N	Ferrante	N	Naughton	Y	Jones
Y	Arciero	N	Finn	Y	Nyman	Y	Peterson
Y	Ashe	N	Forry	N	*O'Day	Y	Hill
N	Atkins	N	Fox	N	O'Flaherty	Y	Poirier
N	Atsalis	Y	Fresolo	N	Parisella	Y	Adams
N	Ayers	N	Galvin	N	Peake	Y	Barrows
N	Balser	N	Garballey	N	Peisch	Y	Bastien
N	Basile	N	Garlick	Y	Petrolati	Y	Beaton
N	Benson	Y	Garry	N	Pignatelli	Y	Boldyga
N	Binienda	N	Gobi	X	Provost	Y	deMacedo
X	Bradley	N	Golden	N	Puppolo	Y	D'Emilia
N	Brady	N	Hecht	Y	Rogers	Y	Diehl
N	Brodeur	N	Henriquez	Y	Rosa	Y	Durant
N	Cabral	N	Hogan	N	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	N	Sannicandro	Y	Ferguson
N	Campbell	N	Honan	N	Scaccia	Y	Frost
N	Canavan	N	Kafka	N	Schmid	Y	Gifford
Y	Cantwell	N	Kaufman	N	Scibak	Y	Harrington
N	Cariddi	N	Keenan	N	Sciortino	Y	Howitt
N	Chan	N	Khan	N	Smith	Y	Humason
N	Coakley-Rivera	N	Kocot	N	Smizik	Y	Hunt
N	Collins	N	Koczera	N	Spiliotis	Y	Kuros
N	Conroy	N	Kulik	N	Spiliotis	Y	Levy
N	Coppinger	N	Lawn	Y	Stanley, H.	Y	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	Y	Lyons
Y	Creedon	N	Linsky	N	Story	Y	O'Connell
N	Curran	N	Madden	N	Straus	Y	Orrall
N	Cusack	N	Mahoney	N	Sullivan	Y	Ross
N	Dempsey	N	Malia	N	Swan	Y	Smola
N	Devers	N	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	N	Markey	N	Toomey	Y	Webster
N	Donato	N	McMurtry	N	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 53

NAYS: 100

N-V: 3

P=PRESENT

X=NOT VOTING

***=AFTER VOTE**

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 333

On motion (Mrs. Orrall of Lakeville) to reconsider the vote by which the House passed to be engrossed the House Resolve relating to the tribal-state compact between the Mashpee Wampanoag tribe and the Commonwealth of Massachusetts (see House resolve printed in House, No. 4261).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	Y	Fallon	X	Murphy, C.	N	Walsh, M.
N	Rushing	N	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	N	Walz
N	Aguiar	N	Fernandes	N	Nangle	N	Wolf
N	Andrews	N	Ferrante	N	Naughton	N	Jones
N	Arciero	N	Finn	N	Nyman	N	Peterson
N	Ashe	N	Forry	N	O'Day	Y	Hill
N	Atkins	N	Fox	N	O'Flaherty	Y	Poirier
N	Atsalis	N	Fresolo	N	*Parisella	Y	Adams
N	Ayers	N	Galvin	N	Peake	N	Barrows
N	Balser	N	Garballey	N	Peisch	Y	Bastien
N	Basile	N	Garlick	N	Petrolati	Y	Beaton
N	Benson	N	Garry	N	Pignatelli	Y	Boldyga
N	Binienda	N	Gobi	N	Provost	Y	deMacedo
X	Bradley	N	Golden	N	Puppolo	Y	D'Emilia
N	Brady	N	Hecht	N	Rogers	N	Diehl
N	Brodeur	N	Henriquez	N	Rosa	Y	Durant
Y	Cabral	N	Hogan	N	Sanchez	Y	Fattman
Y	Calter	N	Holmes	N	Sannicandro	Y	Ferguson
N	Campbell	N	Honan	N	Scaccia	N	Frost
N	Canavan	N	Kafka	N	Schmid	Y	Gifford
N	Cantwell	N	Kaufman	N	Scibak	N	Harrington
N	Cariddi	N	Keenan	N	Sciortino	Y	*Howitt
N	Chan	N	Khan	N	Smith	N	Humason
N	Coakley-Rivera	N	Kocot	N	Smizik	N	Hunt
N	Collins	Y	Koczera	N	Spiliotis	Y	Kuros
N	Conroy	N	*Kulik	N	Spiliotis	Y	Levy
N	Coppinger	N	Lawn	N	Stanley, H.	N	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	Y	Lyons
X	Creedon	N	Linsky	N	Story	N	O'Connell
N	Curran	N	Madden	Y	*Straus	Y	Orrall
N	Cusack	N	Mahoney	N	Sullivan	Y	Ross
N	Dempsey	N	Malia	N	Swan	Y	Smola
N	Devers	N	Mark	N	Timilty	N	Vieira
N	DiNatale	Y	Markey	N	Toomey	N	Webster
N	Donato	N	McMurtry	N	Torrise	Y	Winslow
N	Dwyer	N	Miceli	N	Turner	Y	Wong

YEAS: 27

NAYS: 126

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Thursday, July 26, 2012.

Yea and Nay No. 334

On passing to be engrossed the House Bill making appropriations for the fiscal year 2013 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4334, published as amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
X	Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	*Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
X	Creedon	Y	Linsky	Y	Story	N	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 120

NAYS: 33

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 335

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Northborough to convey certain parklands to abutters (see House, No. 4075, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	*Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	X	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 336

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Truro to amend a certain conservation restriction (see House, No. 3919).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	X	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 337

On passing to be enacted the engrossed [land taking] Bill authorizing the change of use and the lease of certain land in town of Lenox for a solar powered generation facility (see House, No. 4277).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	X	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 338

On passing to be enacted the engrossed [land taking] Bill authorizing the Department of Fish and Game to exchange certain property in the town of Shirley for other property in the same town (see House, No. 4273, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	X	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 339

On passing to be enacted the engrossed [land taking] Bill relative to the transfer of land in the town of Sharon (see House, No. 3794, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	*Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 340

On passing to be enacted the engrossed [land taking] Bill authorizing the Division of Capital Asset Management and Maintenance to grant to the city of Lowell easements over certain parcels of land (see Senate, No. 2233).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	*Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 341

On passing to be enacted the engrossed [land taking] Bill authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester (see Senate, No. 2250, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
X	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 342

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Groton to convey a certain parcel of land to the Department of Fish and Game and place conservation restrictions on certain parcels of land (see House bill printed in House, No. 3886).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	*Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
X	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 343

On adoption of an amendment recommended by His Excellency the Governor (for message, see House, No. 4343) to the engrossed Bill relative to sentencing and improving law enforcement tools (see House, No. 3818, amended).

N	Mr. Speaker	N	Dykema	N	Michlewitz	N	Wagner
N	Mariano	N	Ehrlich	N	Moran	N	Walsh, C.
N	Haddad	N	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	N	Murphy, J.	N	Walsh, S.
N	Reinstein	N	Fennell	N	Murphy, K.	Y	Walz
N	Aguiar	N	Fernandes	N	Nangle	Y	Wolf
Y	Andrews	N	Ferrante	N	Naughton	N	Jones
N	Arciero	N	Finn	N	Nyman	N	Peterson
N	Ashe	Y	Forry	N	O'Day	N	Hill
N	Atkins	Y	Fox	N	O'Flaherty	N	Poirier
N	Atsalis	N	Fresolo	N	Parisella	N	Adams
N	Ayers	N	Galvin	N	Peake	N	Barrows
Y	Balser	N	Garballey	N	Peisch	N	Bastien
N	Basile	N	Garlick	N	Petrolati	N	Beaton
N	Benson	N	Garry	N	Pignatelli	N	Boldyga
N	Binienda	N	Gobi	Y	Provost	N	deMacedo
N	Bradley	N	Golden	N	Puppolo	N	D'Emilia
N	Brady	Y	Hecht	N	Rogers	N	Diehl
N	Brodeur	Y	Henriquez	N	Rosa	N	Durant
N	Cabral	N	Hogan	N	Sanchez	N	Fattman
N	Calter	Y	Holmes	N	Sannicandro	N	Ferguson
N	Campbell	N	Honan	N	Scaccia	N	Frost
N	Canavan	N	Kafka	N	Schmid	N	Gifford
N	Cantwell	N	Kaufman	N	Scibak	N	Harrington
N	Cariddi	N	Keenan	Y	Sciortino	N	Howitt
N	Chan	Y	Khan	N	Smith	N	Humason
Y	Coakley-Rivera	N	Kocot	Y	Smizik	N	Hunt
N	Collins	N	Koczera	N	Spiliotis	N	Kuros
Y	Conroy	N	Kulik	N	Spiliotis	N	Levy
N	Coppinger	N	Lawn	N	Stanley, H.	N	Lombardo
N	Costello	N	Lewis	N	Stanley, T.	N	Lyons
Y	Creedon	N	Linsky	N	Story	N	O'Connell
N	Curran	N	Madden	N	Straus	N	Orrall
N	Cusack	N	Mahoney	N	Sullivan	N	Ross
N	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	N	Mark	N	Timilty	N	Vieira
N	DiNatale	N	Markey	N	Toomey	N	Webster
N	Donato	N	McMurtry	N	Torrisi	Y	Winslow
N	Dwyer	N	Miceli	N	Turner	N	Wong

YEAS: 23

NAYS: 132

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 344

On passing notwithstanding the objections of His Excellency the Governor, the engrossed Bill relative to the registration of motor vehicles and trailers (see House, No. 4238).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
N	Rushing	N	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	X	Wolf
N	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	N	Forry	Y	O'Day	Y	Hill
Y	Atkins	N	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
N	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	*Gobi	N	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	N	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	N	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	N	Sanchez	Y	Fattman
Y	Calter	N	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	N	Sciortino	Y	Howitt
Y	Chan	N	Khan	Y	Smith	Y	Humason
N	Coakley-Rivera	Y	Kocot	N	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	N	Swan	Y	Smola
N	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	N	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	N	Turner	Y	Wong

YEAS: 135

NAYS: 19

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 345

On passing to be enacted the engrossed [land taking] Bill authorizing the exchange of land in the town of Rockland (see House bill printed in House, No. 4327).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 346

On passing to be enacted the engrossed [land taking] Bill authorizing the lease of the Daly Field complex located in the Brighton section of the city of Boston (see Senate No. 2383, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 347

On passing to be enacted the engrossed [land taking] Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in New Bedford to the city of New Bedford (see Senate No. 2367, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	*Collins	Y	Koczera	Y	*Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	*Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 155

NAYS: 0

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 348

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the House amendment to the Senate Bill relative to competitively priced electricity in the Commonwealth (Senate, No. 2214, amended) (for report, see Senate, No. 2395).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	*Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	*Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	*Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	Y	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 149

NAYS: 6

N-V: 1

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Monday, July 30, 2012.

Yea and Nay No. 349

On passing to be enacted the engrossed [land taking] Bill relative to the conveyance of easements in the town of Sutton (see Senate, No. 2369).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 350

On passing to be enacted the engrossed [land taking] Bill relative to certain conservation restrictions in the town of Canton (see House, No. 4103, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 351

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Orange to convey a certain parcel of land (see House, No. 4009, changed and amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	*Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	X	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
X	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 352

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Maynard to transfer a certain parcel of conservation land (see House, No. 4336).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	*Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	*Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 353

On passing to be enacted the engrossed Bill relative to the emergency service response of public utility companies (see Senate, No. 2143, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
Y	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	*Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	*Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 354

On passing to be engrossed the House Bill relative to collective bargaining agreements (House, No. 1402, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	*Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	*Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	*Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 355

On passing to be enacted the engrossed [land taking] Bill authorizing the directing the Commissioner of Capital Asset Management and Maintenance to convey certain land in the town of South Hadley (see House, No. 4341).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	*Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 154

NAYS: 0

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 356

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Maynard to temporarily transfer a certain parcel of recreation land for a large scale photovoltaic system (see House, No. 4335, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	*Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
X	Canavan	Y	Kafka	Y	*Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	*Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 357

On acceptance, in concurrence, of a report of the committee on conference on the disagreeing votes of the two branches with reference to the House amendment of the Senate Bill improving the quality of health care and reducing costs through increased transparency, efficiency and innovation (Senate, No. 2270) (for report, see Senate, No. 2400).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	P	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	*Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrise	N	Winslow
Y	Dwyer	N	Miceli	Y	Turner	Y	Wong

YEAS: 133

NAYS: 20

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 358

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the Senate amendments of the House Bill relative to infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (House, No. 4119) (for report, see House, No. 4352).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	Y	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	N	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 1

N-V: 2

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 359

On passing to be enacted the engrossed [land taking] Bill authorizing the conveyance, lease and change of use of certain park lands in the city of Worcester (see House, No. 4033, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	*Parisella	Y	Adams
Y	*Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	*Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	*Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 360

On passing to be enacted the engrossed [land taking] Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement over a parcel of land in the town of Needham in exchange for a parcel of land to be conveyed to the Commonwealth (see House, No. 4339).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	*Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	*Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 361

On passing to be enacted the engrossed [land taking] Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Halifax (see House, No. 4340).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	*Petrinati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	*Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 362

On passing to be engrossed the House Bill protecting motor vehicle owners and small businesses in repairing motor vehicles (House, No. 4362, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 363

On suspension of Rule 1A in order that the House might continue to meet beyond the hour of 9 o'clock P.M.

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	*Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	N	Jones
Y	Arciero	Y	Finn	Y	Nyman	N	Peterson
Y	Ashe	Y	Forry	Y	O'Day	N	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	N	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	N	Adams
Y	Ayers	Y	Galvin	Y	Peake	N	Barrows
Y	Balser	Y	Garballey	Y	Peisch	N	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	N	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	N	Boldyga
X	Binienda	Y	Gobi	Y	Provost	N	deMacedo
Y	*Bradley	Y	Golden	Y	Puppolo	N	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	N	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	N	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	N	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	N	Frost
Y	Canavan	Y	Kafka	Y	Schmid	N	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	N	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	N	Howitt
Y	*Chan	Y	Khan	Y	Smith	N	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	N	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	N	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	N	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	N	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	N	Lyons
Y	Creedon	Y	Linsky	Y	Story	N	O'Connell
Y	Curran	Y	Madden	Y	Straus	N	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	N	Ross
Y	Dempsey	Y	Malia	Y	Swan	N	Smola
Y	Devers	Y	Mark	Y	Timilty	N	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	N	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	N	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	N	Wong

YEAS: 120

NAYS: 33

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 364

On passing to be enacted the engrossed [state loan] Bill relative infrastructure investment, enhanced competitiveness and economic growth in the Commonwealth (see House, No. 4352).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	N	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 152

NAYS: 1

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 365

On passing to be enacted the engrossed [land taking] Bill authorizing the change of use and the lease of certain land in the town of Lee for a solar powered generation facility (see House, No. 4278, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	*Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 366

On passing to be enacted the engrossed [land taking] Bill authorizing the exchange of certain parcels of land in the town of Marshfield (see House bill printed in House, No. 4365).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	*Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	X	Turner	Y	Wong

YEAS: 152

NAYS: 0

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 367

On passing to be enacted the engrossed [land taking] Bill authorizing the Massachusetts Department of Transportation to acquire a parcel of land in the town of Hinsdale (see Senate, No. 2385, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 368

On passing to be enacted the engrossed [land taking] Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (see House, No. 4342, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrisi	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 369

On passing to be enacted the engrossed [land taking] Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the city of Lawrence to the Greater Lawrence Community Boating Program, Inc. (see Senate, No. 2338).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	*Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	*Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 370

On acceptance of a report of the committee on conference on the disagreeing votes of the two branches with reference to the Senate amendment of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4193) (for report, see House, No. 4371).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	*Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	*Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	N	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	N	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 151

NAYS: 2

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 371

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Wellfleet to grant an easement on certain land in the town (see House, No. 4171, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 372

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Cohasset to transfer certain interests in land (see House, No. 4230, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	X	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	X	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 151

NAYS: 0

N-V: 5

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Tuesday, July 31, 2012.

Yea and Nay No. 373

On passing to be enacted the engrossed [land taking] Bill authorizing the town of Fairhaven to grant an easement over certain land (see House, No. 4172, amended).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, August 1, 2012.

Yea and Nay No. 374

On passing item 7061-0011 (elementary and secondary education), notwithstanding the objections (in part) of His Excellency the Governor, contained in section 2 of the engrossed Bill making appropriations for the fiscal year 2013 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4200).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	Y	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	Y	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
Y	Cantwell	Y	Kaufman	Y	Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 153

NAYS: 0

N-V: 3

P=PRESENT

X=NOT VOTING

*=AFTER VOTE

Yea and Nay Supplement
JOURNAL OF THE HOUSE.

Wednesday, August 1, 2012.

Yea and Nay No. 375

On passing to be enacted the engrossed [state loan][land taking] Bill financing improvements to the Commonwealth's transportation system (see House, No. 4371).

Y	Mr. Speaker	Y	Dykema	Y	Michlewitz	Y	Wagner
Y	Mariano	Y	Ehrlich	Y	Moran	Y	Walsh, C.
Y	Haddad	Y	Fallon	X	Murphy, C.	Y	Walsh, M.
Y	Rushing	Y	Farley-Bouvier	Y	Murphy, J.	Y	Walsh, S.
Y	Reinstein	Y	Fennell	Y	Murphy, K.	Y	Walz
Y	Aguiar	Y	Fernandes	Y	Nangle	Y	Wolf
Y	Andrews	Y	Ferrante	Y	Naughton	Y	Jones
Y	Arciero	Y	Finn	Y	Nyman	Y	Peterson
Y	Ashe	Y	Forry	Y	O'Day	Y	Hill
Y	Atkins	Y	Fox	Y	O'Flaherty	Y	Poirier
Y	Atsalis	Y	Fresolo	Y	Parisella	Y	Adams
Y	Ayers	Y	Galvin	Y	Peake	Y	Barrows
Y	Balser	Y	Garballey	Y	Peisch	Y	Bastien
Y	Basile	Y	Garlick	Y	Petrolati	Y	Beaton
Y	Benson	Y	Garry	Y	Pignatelli	Y	Boldyga
X	Binienda	Y	Gobi	Y	Provost	Y	deMacedo
Y	Bradley	Y	Golden	Y	Puppolo	Y	D'Emilia
Y	Brady	Y	Hecht	Y	Rogers	N	Diehl
Y	Brodeur	Y	Henriquez	Y	Rosa	Y	Durant
Y	Cabral	Y	Hogan	Y	Sanchez	Y	Fattman
Y	Calter	Y	Holmes	Y	Sannicandro	Y	Ferguson
Y	Campbell	Y	Honan	N	Scaccia	Y	Frost
Y	Canavan	Y	Kafka	Y	Schmid	Y	Gifford
X	Cantwell	Y	Kaufman	Y	*Scibak	Y	Harrington
Y	Cariddi	Y	Keenan	Y	Sciortino	Y	Howitt
Y	Chan	Y	Khan	Y	Smith	Y	Humason
Y	Coakley-Rivera	Y	Kocot	Y	Smizik	Y	Hunt
Y	Collins	Y	Koczera	Y	Spiliotis	Y	Kuros
Y	Conroy	Y	Kulik	Y	Spiliotis	Y	Levy
Y	Coppinger	Y	Lawn	X	Stanley, H.	Y	Lombardo
Y	Costello	Y	Lewis	Y	Stanley, T.	Y	Lyons
Y	Creedon	Y	Linsky	Y	Story	Y	O'Connell
Y	Curran	Y	Madden	Y	Straus	Y	Orrall
Y	Cusack	Y	Mahoney	Y	Sullivan	Y	Ross
Y	Dempsey	Y	Malia	Y	Swan	Y	Smola
Y	Devers	Y	Mark	Y	Timilty	Y	Vieira
Y	DiNatale	Y	Markey	Y	Toomey	Y	Webster
Y	Donato	Y	McMurtry	Y	Torrise	Y	Winslow
Y	Dwyer	Y	Miceli	Y	Turner	Y	Wong

YEAS: 150

NAYS: 2

N-V: 4

P=PRESENT

X=NOT VOTING

*=AFTER VOTE