

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, Haddad of Somerset and Orrall of Lakeville) on the occasion of the observance of National Catholic Schools Week by Coyle and Cassidy High School in Taunton;

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

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

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

Moraine Fallows.

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

Eleanor Ruest.

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating 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.

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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.