

JOURNAL OF THE HOUSE.

Monday, January 24, 2011.

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.

Statement of Ms. Atkins of Concord.

A statement of Ms. Atkins of Concord was spread upon the records of the House, as follows:

Statement of Ms. Atkins of Concord.

MR. SPEAKER: I would like to call to the attention of the House the fact that as result of my absence from the State House on January 20, 2011, due to the intestinal flu. I was unable to be recorded on the votes on roll calls held during that day's sitting of the House. Had I been present I would have voted in the affirmative on roll calls numbered 2, 9, 13, 17 and 18 and in the negative on roll calls numbered 3, 4, 5, 6, 7, 8, 10, 11, 12, 14, 15 and 16.

Resolutions.

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

Bishop Feehan High School.

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

St. John the Evangelist School.

Resolutions (filed by Representatives Poirier of North Attleborough and Ross of Attleboro) on the occasion of the observance of National Catholic Schools Week by St. John the Evangelist School in Attleboro;

St. Mary's School.

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

St. Mary's/Sacred Heart School.

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

St. Mary School.

Resolutions (filed by Representatives Beaton of Shrewsbury and Ferguson of Holden) on the occasion of the observance of National Catholic Schools Week by St. Mary School in Shrewsbury;

Country Day School of the Holy Union.

Resolutions (filed by Mrs. Harrington of Groton) on the occasion of the observance of National Catholic Schools Week by Country Day School of the Holy Union in Groton;

Joan Port-Farwell.

Resolutions (filed by Mrs. Nyman of Hanover) congratulating Joan Port-Farwell on the occasion of her retirement from Treasurer/Collector Office in the town of Hanover;

Michael L. Brown.

Resolutions (filed by Mrs. O'Connell of Taunton) honoring Michael L. Brown, of the National Guard who received a Bronze Star for his courageous display of bravery and outstanding leadership;

Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Canessa of New Bedford) on the occasion of the observance of National Catholic Schools Week by Coyle and Cassidy High School in Taunton;

Coyle and Cassidy High School.

Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Canessa of New Bedford) on the occasion of the observance of National Catholic Schools Week by Our Lady of Lourdes School in Taunton;

Our Lady of Lourdes School.

Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Canessa of New Bedford) on the occasion of the observance of National Catholic Schools Week by St. Mary's Primary School in Taunton;

St. Mary's Primary School.

Resolutions (filed by Representatives O'Connell of Taunton, Had-dad of Somerset and Canessa of New Bedford) on the occasion of the observance of National Catholic Schools Week by Taunton Catholic Middle School in Taunton; and

Taunton Catholic Middle School.

Resolutions (filed by Mr. Turner of Dennis) honoring Julia Johnson on her retirement from the Dennis-Yarmouth Regional School District.

Julia Johnson.

Mr. Binienda of Worcester, for the temporary 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 were considered forthwith; and they were adopted.

Order.

An Order (filed this day, by Mr. Binienda of Worcester) relative to extending for two hours the filing deadline for petitions due to be filed with the Clerk by five o'clock P.M. on Friday, January 21, due to the delayed work start caused by the inclement weather of Friday last, was referred, under Rule 24, to the temporary committee on Rules.

General Court,—filing deadline.

Mr. Binienda, for said committee, 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.

Paper from the Senate.

The Senate Order relative to Joint Rules of the Senate and House of Representatives for the years 2011-2012 (Senate, No. 6, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendments (striking out the following sentence: "If, after 30 days, the committees on Rules of the two branches, acting concurrently, fail to issue a report, then the committee on Rules of the branch in which the matter was deposited shall issue a report and said matter shall be deemed admitted and referred to the appropriate committee for consideration." [inserted by amendment by the Senate]; and striking out Rules 11 through 11D, inclusive, and inserting in place thereof the following six rules:

Joint Rules.

"Committees of Conference.

11. Committees of conference shall consist of 3 members on the part of each branch, representing its vote; and their report, if agreed to by a majority of each committee, shall be made to the branch asking

Joint
Rules.

for the conference, and may be either accepted or rejected, but no other action shall be had, except through a new committee of conference.

11A. Upon the appointment of a committee of conference to whom matters of difference in respect to any appropriation bill or in respect to any bill providing for capital outlay programs and projects are referred, the clerk of the branch requesting said committee of conference shall make available to members of the General Court a list of the matters in disagreement identified by item number and item purpose and showing the amount made available by each branch of the General Court, and any other matters in disagreement and the position of each of the said branches.

The report of said committee of conference shall consist of the matters of difference so referred and so identified, showing the amounts appropriated by each of the said branches and other matters in disagreement and the position of each branch with respect to those matters, and shall state said committee's recommendations with respect to the matters so referred. Matters on which there exists no disagreement between the branches shall not be disturbed by the committee on conference.

The committees on ways and means of each branch of the General Court shall assist such committee of conference in any and all matters necessary to the preparation and completion of its report.

11B. No report from a committee of conference shall be considered or acted upon by either branch until the calendar day following the day on which said report shall have been available to the public and to the members of the General Court. The committee shall file its report no later than 8 p.m. on the day preceding its consideration and the General Court shall not consider said report before 1 p.m. on the following day, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is file.

11C. Reports, other than those filed under Rule 11A, from a committee of conference shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk.

11D. Upon filing of a report by a committee of conference the clerk shall immediately refer the report to the committee on Bills in the Third Reading of the branch with whom the report was filed. Said committee on Bills in the Third Reading shall review the report for accuracy and shall only make corrective technical changes. Said changes shall be recorded electronically on the document. The Chair of said committee on Bills in the Third Reading shall certify via a signature on the report that the changes made by said committee on Bills in the Third Reading are technical in nature.

11E. Upon the filing of a report by a committee of conference and the completion of a review by the committee on Bills in the Third Reading of the branch with whom the report was filed, the clerk shall, as soon as practicable, make the report and the summary of the report available to all members electronically and to the public on the official website of the General Court.").

The order 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 Berry, Spilka and Knapik had been appointed the committee on the part of the Senate.

Committee of
conference.

On motion of Mr. Binienda of Worcester, the House insisted on its amendments, concurred in the appointment of a committee of conference; and Representatives Binienda, Bradley of Hingham and Humason of Westfield were appointed the committee on the part of the House. Sent to the Senate to be noted.

Committee of
conference.*Order.*

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

Next
sitting.

At thirteen 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 on the following Wednesday at eleven o'clock A.M., in an Informal Session.