

JOURNAL OF THE HOUSE.

Monday, June 6, 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).

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, Mr. Miceli of Wilmington took the Chair, declared a brief recess, and introduced students from Tewksbury Memorial High School, the Division 2 varsity ice hockey state champions, who were accompanied by their Head Coach Derek Doherty, Assistant Coach Alex MacLellan, coaches Dave DeRoache, Mike Taylor, Donny MacLaren, Randy Boyce, Shawn Scott, Jim Walker, and , Roy Flagg, the Superintendent of Schools Dr. John Connor, and Tewksbury school committee members Jayne Miller and Dennis Francis.

Tewksbury
Memorial High
School,—
varsity ice
hockey state
champions

Resolutions.

Mr. Donato of Medford being in the Chair,—

Resolutions (filed with the Clerk by Mr. Atsalis of Barnstable and other members of the House) congratulating Susan French on being named the 2011 Mercy Otis Warren Cape Cod Woman of the Year were referred, under Rule 85, to the committee on Rules.

Susan
French.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Scibak of South Hadley, 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 Division of Capital Asset Management and Maintenance (under Section 40K of Chapter 7 of the General Laws) submitting a listing of the Commonwealth's real property holdings and leased property for the period ending March 1, 2011 [copies of said report forwarded to the committee on State Administration and Regulatory Oversight], was placed on file.

Real property
holdings and
leases.

Annual Reports.

Annual reports
Of the Massachusetts Life Insurance Community Investment Initiative, LLC
(under Section 2(e) of Chapter 259 of the Acts of 1998) for the year 2010 [copies of

Life Insurance
Community

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said report forwarded to the House committee on Ways and Means and the committees on Financial Services and Revenue];

Of the Property and Casualty Initiative, LLC (under Section 3(e) of Chapter 259 of the Acts of 1998) for the fiscal year 2010 [copies of said report forwarded to the House committee on Ways and Means and the committees on Financial Services and Revenue]; and

Of the Commission on the Status of Women (under the provisions of Section 1 of Chapter 138 of the General Laws) submitting its report for the fiscal year 2011.

Severally were placed on file.

Investment Initiative.

Property and Casualty Initiative.

Status of Women.

Petition.

Mr. Hill of Ipswich presented a petition (subject Joint Rule 12) of Bradford Hill for legislation to establish a sick leave bank for Nancy Whittier, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Nancy Whittier,— sick leave.

Papers from the Senate.

The House Bill making appropriations for the fiscal year 2012 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. 3401) 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 3) (in which the House had non-concurred), concurred with the House in appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Brewer, Baddour and Knapik had been joined as the committee on the part of the Senate.

General Appropriation Bill.

Committee of conference.

The House Bill establishing a sick leave bank for Robert P. Hanifin, an employee of the Trial Court (House, No. 3397) came from the Senate passed to be engrossed, in concurrence, with an amendment in line 2, inserting after the words "employee of the", the words "West Roxbury district court department of the".

Robert P. Hanifin,— sick leave bank.

Under suspension of Rule 35, on motion of Mr. Rogers of Norwood, 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 Norfolk County Commissioners to borrow money for the repair, renovation and construction, equipping and furnishing of buildings at Norfolk County Agricultural School in the town of Walpole (Senate, No. 1062 amended by adding the following section:

Norfolk County Agricultural School.

"SECTION 3. This act shall take effect upon its passage.") (on a petition), 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.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 1923) 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 amend the charter of the city of Malden.

Malden,— charter.

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To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 1924) 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 exempt Joseph Walklett from the maximum age requirement for the appointment as a firefighter in the city of Malden. To the committee on Public Service.

Malden,—
Joseph
Walklett.

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

Petition (accompanied by bill, Senate, No. 1931) of John A. Hart, Jr., for legislation to establish a sick leave bank for Louceta Hodge, an employee of the Department of Revenue; and

Louceta Hodge,—
sick leave bank.

Petition (accompanied by bill, Senate, No. 1933) of Frederick E. Berry for legislation to establish a sick leave bank for Louise D'Orsi, an employee of the Department of Transportation.

Louise D'Orsi,—
sick leave bank.

Severally to the committee on Public Service.

Petition (accompanied by bill, Senate, No. 1932) of Frederick E. Berry for legislation to authorize the Division of Capital Asset Management and Maintenance, in consultation with the board of trustees of Essex Independent Agricultural and Technical Institute, to sell and convey land in the town of Newbury. To the committee on State Administration and Regulatory Oversight.

Newbury,—
Essex Agricultural
Institute land.

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 Antonio F. D. Cabral, Mark C. Montigny and Stephen R. Canessa for legislation to establish a sick leave bank for Matthew Robitaille, an employee of the sheriff's department of Bristol County.

Matthew
Robitaille,—
sick leave
bank.

Under suspension of the rules, on motion of Mrs. Wolf of Cambridge 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 the Public Service. Sent to the Senate for concurrence.

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill relative to the establishment of voting precincts in the town of Middleton (House, No. 3468) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Middleton,—
voting
precincts.

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. Wong of Saugus, 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. Kafka of Stoughton, 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 establishing voting precincts in the town of Middleton." The bill (House, No. 3468) then was sent to the Senate for concurrence.

By Ms. Forry of Boston, for the committee on Community Development and

Community

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Small Businesses, on Senate, No. 1841 and House, No. 765, a Bill to sustain community preservation (House, No. 765, changed in section 5, in line 67, by inserting after the word "section." the following sentence: "Funds expended pursuant to this chapter may not be used for maintenance."). Read; and referred, under Rule 33, to the committee on Ways and Means.

preservation.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill to reform and improve alimony (printed as Senate, No. 665).

Alimony reform.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill approving the conveyance of property by the county of Nantucket (House, No. 568) [Local Approval Received].

Nantucket, — land.

By the same member, for the same committee, on a petition, a Bill relative to amending the responsibilities of the Nantucket Planning and Economic Development Commission (House, No. 570) [Local Approval Received].

Nantucket, — abatement.

By the same member, for the same committee, on a petition, a Bill establishing a Barrier Beach protection stabilization fund in the town of Dennis (House, No. 3258) [Local Approval Received].

Dennis, — fund.

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

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Michael Briggs, an employee of the Department of Youth Services (see House, No. 3398) 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 Briggs, — 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.

Orders of the Day.

The motion of Mr. Peterson of Grafton, that the vote be reconsidered by which the House, on Wednesday, June 1, passed to be engrossed the House Bill relative to the commercial exploitation of people (House, No. 3470, amended) was considered; and the motion prevailed.

Human trafficking.

Pending the recurring question on passing the bill, as amended, to be engrossed, the same member moved that the vote be reconsidered by which the House adopted amendments (offered by Mr. Jones of North Reading and other members of the House) ["A"] in section 4, in line 97, by striking out the figures "19" and inserting in place thereof the figures "21"; and, in line 113, by inserting after the word "designees" the following: "; 1 of whom who shall be appointed by the minority leader of the Senate; 1 of whom shall be appointed by the minority leader of the House of Representatives". The motion to reconsider then prevailed.

On the recurring question on adoption of the amendment Mr. Jones and other members of the House moved that they be amended by striking out the text of said amendments [at "A"]; and that the bill be amended in section 4 by striking out

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paragraph (a) and inserting in place thereof the following paragraph:

“(a) There shall be an interagency task force to address all aspects of human trafficking, including sex trafficking and labor trafficking. The task force shall consist of 2 members of the senate, 1 of whom shall be the chairman of the committee on the judiciary, 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 the chairman of the committee on the judiciary, and 1 of whom shall be appointed by the minority leader of the house of representatives; the attorney general or the attorney general’s designee who shall serve as the chair; 3 persons who shall be appointed by the attorney general from non-governmental organizations that specialize in human trafficking, including, but not limited to, those who work in the following areas: child and runaway services, and sexually exploited adults and labor, who shall serve for a term of 18 months; the executive director of the Massachusetts office for victim assistance or the director’s designee; the director of the department of labor standards or the director’s designee; the commissioner of the department of children and families or the commissioner’s designee; the director of the office for refugees and immigrants or the director’s designee; the secretary of the executive office of public safety and security or the secretary’s designee; the commissioner of the office of probation or the commissioner’s designee; the colonel of the Massachusetts state police or the colonel’s designee; the director of the division of professional licensure or the director’s designee; and 5 persons to be appointed by the governor, 1 of whom shall be the president of the Massachusetts District Attorneys Association or the president’s designee, 1 of whom shall be the president of the Massachusetts Chiefs of Police Association or the president’s designee, 1 of whom shall be the chief of the Massachusetts Bay transportation authority transit police or the chief’s designee, 1 of whom shall be the commissioner of the Boston police department or the commissioner’s designee, and 1 of whom shall be an academic researcher dedicated to the subject of human trafficking. In addition to the designated members of the task force, the attorney general shall invite representatives of the United States Attorneys’ offices and of federal law enforcement agencies operating within the commonwealth, including the Federal Bureau of Investigation, United States Immigration and Customs Enforcement, and the United States Department of Labor, to participate on the task force.”.

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

The bill (House, No. 3483, republished as amended) then was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to protect the natural resources of the Commonwealth (House, No. 3438) was read a second time.

Natural resources.

Pending the question on ordering the bill to a third reading, it was referred to the committee on Ways and Means, on motion of Mr. Kafka of Stoughton.

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.

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At 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.