

Journals of the House

JOURNAL OF THE HOUSE.

Monday, August 29, 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.

Message from the Governor.

Supplemental appropriations.

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3695) was filed in the office of the Clerk on Thursday, August 25, 2011.

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.

Petitions.

Melrose,—land conveyance.

Petitions severally were presented and referred, as follows: By Mr. Brodeur of Melrose, a petition (accompanied by bill, House, No. 3694) of Paul A. Brodeur (with the approval of the mayor and board of aldermen) relative to the transfer of certain properties from the housing authority of the city of Melrose to the affordable housing corporation of said city. To the committee on Housing.

Boston,—tax exemption filing deadline.

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 3693) of Russell E. Holmes (with the approval of the mayor and city council) relative to the date for filing of residential exemptions, personal exemptions and tax deferrals on residential real property in the city of Boston. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Papers from the Senate.

Bethany M. Tsioropoulos,—sick leave.

Bills Establishing a sick leave bank for Bethany M. Tsioropoulos, an employee of the Massachusetts Rehabilitation Commission (Senate, No. 2002) (on Senate, No. 1922); and

Caron Parker,—sick leave.

Establishing a sick leave bank for Caron Parker, an employee of the Department of Revenue (Senate, No. 2003) (on Senate, No. 1974); 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.

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 bill adding members of the Massachusetts Civil and Uniform Firefighters Association to the Fire Training Council, Fire Training Council,—membership. (Senate, No. 1188) (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. 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 exempting certain positions in the town of Shrewsbury from civil service law (Senate, No. 1937) [Local Approval Received]; and

House bills Approving the conveyance by the Nantucket Island Land Bank of certain land situated in the town of Nantucket (House, No. 569) [Local Approval Received];

Relative to the cable PEG access enterprise accounts (House, No. 1451);

Exempting the position of inspector of buildings, also known as the building commissioner, of the town of Natick from the provisions of civil service law (House, No. 3507) [Local Approval Received];

Exempting the position of fire chief of the town of Natick from the provisions of civil service law (House, No. 3508) [Local Approval Received];

Relative to authorizing the town of Needham to dispose of by sale of 375 square feet of conservation land and to grant a permanent ground bed easement to support natural gas transmission under article of amendment XLIX (House, No. 3667) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka of Stoughton, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on Senate, Nos. 150, 155, 168, 169, 170 and House, Nos. 130, 1036, 1037, 1039, 1904, 1905, 3110 and 3111, a Bill establishing expanded gaming in the Commonwealth (House, No. 3697). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on House, Nos. 3 and 5, a Bill relative to vendor contracts (House, No. 5). 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 Michele Chandler, an employee of the Executive Office of Health and Human Services (see Senate, No. 1968, 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.

Michele
Chandler,—
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.

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.

Arcelia
Williams-
Sullivan,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Arcelia Williams-Sullivan, an employee of the Massachusetts Rehabilitation Commission (see House, No. 3588, 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

Exempting certain employees of the school department in the town of Acushnet and certain town of Acushnet clerical and janitorial employees from the civil service law (see House, No. 1618); and

Eliminating the preliminary election in the city of Revere in 2011 (see House, No. 3655);

(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

Exempting certain positions in the town of Burlington from civil service law (House, No. 3488); and

Establishing a sick leave bank for Terri A. Demars, an employee of the Department of State Police (House, No. 3646) (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 Thursday next at eleven o'clock A.M.

Next
sitting.

At half past 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.

JOURNAL OF THE HOUSE.

Thursday, September 22, 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.

Statement of Representative Walz of Boston.

A statement of Ms. Walz 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 I was unable to be present in the House Chamber for a portion of the sitting of Wednesday, September 14th due to a previously scheduled commitment to attend the Toll Fellowship Program in Lexington, Kentucky. Had I been present for the taking of yeas and nays Nos. 105 and 106, I would have voted, in each instance, in the affirmative. Had I been present for the taking of yeas and nays Nos. 107 and 108, I would have voted, in each instance, in the negative. My missing of roll calls that day was due entirely to the reason stated.

Statement of Ms. Walz of Boston.

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 Essex County Greenbelt Association on fifty years of dedicated service to the community;

Essex County Greenbelt Association.

Resolutions (filed Ms. Fox of Boston) congratulating James Edward Guilford, Jr., on the occasion of his one hundredth birthday;

James Edward Guilford, Jr.

Resolutions (filed by Representatives Fox of Boston and Turner of Dennis) congratulating Theresa Fernandez Monteiro Wood on the occasion of her ninetieth birthday; and

Theresa Fernandez Monteiro Wood.

Resolutions (filed by Representatives Peisch of Wellesley and Balsler of Newton) honoring Tyler Siegal on receiving the Eagle Award of the Boy Scouts of America;

Tyler Siegal.

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.

Petitions.

Mr. Speliotis of Danvers presented a petition (accompanied by bill, House, No. 3719) of Theodore C. Speliotis (by vote of the town) for legislation to authorize an exchange of land between Brigitte and

Topfield,-- land.

Timothy O'Malley of Topsfield and the town of Topsfield; 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:

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley relative to the declaration of homestead.

Homestead—
declaration.
Hit and run
accidents.

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley for legislation to increase the penalties for hit and run motor vehicle accidents.

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

Papers from the Senate.

A Bill providing for additional pension reform and benefits modernization (Senate, No. 2018) (on Senate bill No. 2010), 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.

Pension
reform.

A Bill eliminating the residency requirement for certain assistant treasurers and assistant collectors (Senate, No. 1325) (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.

Assistant
treasurers and
collectors.

A petition (accompanied by bill, Senate, No. 2017) of Patricia D. Jehlen, Paul J. Donato, Sean Garballey and Carl M. Sciortino, Jr. (with the approval of the mayor and city council) for legislation to authorize the city of Medford to reimburse the Water Enterprise Fund, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Medford—
Water
Enterprise
Fund.

A petition (accompanied by bill) of Fredrick E. Berry for legislation to establish a sick leave bank for Scott Hayward, an employee of the Executive Office of Health and Human Services, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Public Service.

Scott
Hayward—
sick leave
bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2021) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to the issuance of public health warnings (House, No. 1474, changed), ought to pass. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Health care
warnings—
issuance.

Mr. Kafka of Stoughton, for said committee, reported recommending 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.

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

~~The Senate Bill adding members of the Massachusetts Call and Fire Fighters Association to the Massachusetts Fire Training Council (House, No. 1489); and~~

Fire Training
Council—
membership.

The House Bill making a technical correction relative to reporting premium information (House, No. 1181);

Premium
information—
reports.

~~Under suspension of Rule 12, on motion of Mr. Kafka, the bill severally was 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, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 11588) of Christine E. Canavan and others relative to collective bargaining of certain school employees in response to "rapid academic achievement," so-called,—and recommending that the same be referred to the committee on Education. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Collective
bargaining.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill to create a trust fund for police officer medical benefits (House, No. 2328) [Local Approval Received].

Dartmouth—
police
benefits.

By the same member, for the same committee, on a petition, a Bill relative to vacant and abandoned property in the Commonwealth (House, No. 2329).

Abandoned
property.

By the same member, for the same committee, on a petition, a 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) [Local Approval Received].

Brookline—
sale of taxi
licenses.

By the same member, for the same committee, on a petition, a 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) [Local Approval Received].

Brookline—
appointments.

By the same member, for the same committee, on a petition, a Bill authorizing increased fees for special details performed by public employees in the city of Medford (House, No. 3530) [Local Approval Received].

Medford—
special detail
fees.

By the same member, for the same committee, on a petition, a Bill relative to the approval of funding at town meeting (House, No. 3591) [Local Approval Received].

North Andover—
bargaining
agreements.

By the same member, for the same committee, on a petition, a Bill relative to the town charter in the town of North Andover (House, No. 3592) [Local Approval Received].

North Andover—
charter.

By the same member, for the same committee, on a petition, a Bill validating the acts and proceedings at the town caucus in the town of Westhampton (House, No. 3623) [Local Approval Received].

Westhampton—
caucus.

By the same member, for the same committee, on a petition, a Bill relative to the human resource department of the town of Arlington (House, No. 3651) [Local Approval Received].

Arlington—
human
resources.

By the same member, for the same committee, on a petition, a Bill relative to budget submissions to the town manager in the town of Arlington (House, No. 3652) [Local Approval Received].

Arlington—
budget.

South Hadley,—
bills. By the same member, for the same committee, on a petition, a Bill authorizing the town of South Hadley to pay certain unpaid bills (House, No. 3653) [Local Approval Received].

Revere,—
city clerk. By the same member, for the same committee, on a petition, a Bill relative to the term of office of City Clerk of the city of Revere (House, No. 3656) [Local Approval Received].

North Andover,—
town meeting. By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at the June 7, 2011 annual town meeting held by the town of North Andover (printed in House, No. 3665).

Plympton,—
treasurer-
collector. By the same member, for the same committee, on a petition, a Bill creating the position of treasurer-collector in the town of Plympton (House, No. 3676) [Local Approval Received].

Waltham,—
Landry Way. By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a state road in the city of Waltham as Landry Way (House, No. 920).

Turnpike,—
signs. By the same member, for the same committee, on a petition, a Bill relative to signs on the Massachusetts Turnpike (House, No. 923) [Representative Durant of Spencer dissenting].

Salisbury,—
Morgan
Square. By the same member, for the same committee, on a petition, a Bill designating a certain portion of land in the town of Salisbury as the Reverend Thomas B. Morgan square (House, No. 3713).

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

Recess.

Recess. At ten 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 eleven minutes before twelve o'clock the House was called to order with Mr. Donato in the Chair.

Resolutions.

Recovery
Month. Resolutions (filed with the Clerk by Mr. DeLeo of Winthrop) commending the Massachusetts Organization for Addiction Recovery on its celebration of Recovery Month, 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. Garballey of Arlington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Orders of the Day.

House bill
Third
reading
bills. Creating a water supply system in the town of Rochester (House, No. 576) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the order of placement of a certain person on the civil service eligibility list (House, No. 2967);

Relative to district councilors elected at the 2011 election in the town of Amesbury (House, No. 3620);

Relative to the charter of the town of Amesbury (House, No. 3621);
Authorizing the town of Amesbury to place a certain question relative to fluoridation of the public water supply on the town's election ballot (House, No. 3622); and

Authorizing the town of Needham to convey a parcel of land and grant an easement to support natural gas transmission (House, No. 3667) (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 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.

At 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 Monday at eleven o'clock A.M., in an Informal Session.

JOURNAL OF THE HOUSE.

Thursday, September 29, 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.

Resolutions.

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

Henry Wilson.
Theresa Fernandez Montiro.

Resolutions (filed by Ms. Peisch of Wellesley) honoring the two hundredth birthday anniversary of Henry Wilson; and

Resolutions (filed by Mr. Turner of Dennis) congratulating Theresa Fernandez Montiro 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 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.

Communication.

M.C.I.-Cedar Junction, — public health violations.

A communication from the Superintendent of M.C.I.-Cedar Junction in Walpole in response to a request for an estimated completion time for rectifying certain public health violations identified at said institution by the Department of Public Health (pursuant to the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws), was placed on file.

Special Report.

Climate change regulations.

A report of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 5 of Chapter 298 of the Acts of 2008) regarding the implementation of regulations relative to climate change in the Commonwealth, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Chelmsford, — recalls.

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3728) of Thomas A. Golden, Jr., and others (by vote of the town) relative to amending the charter of the town of Chelmsford relative to the recall of elected officers. To the committee on Election Laws.

Lawrence, — illegal dumping.

By Mr. Devers of Lawrence, a 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. To the committee on the Judiciary.

Severally sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Barrows of Mansfield and Senator Timilty, a joint petition (subject to Joint Rule 12) of F. Jay Barrows and James E. Timilty for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to said town for housing purposes.

Foxborough, — land.

By Mr. Finn of West Springfield and Senator Welch, a joint petition (subject to Joint Rule 12) of Michael J. Finn and James T. Welch relative to vehicular homicide while under the influence of an intoxicating substance.

Motor vehicle homicide.

By Mr. 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 competitively solicited proposals from renewable energy developers.

Renewable energy, — proposals.

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

Paper from the Senate.

A petition of Thomas P. Kennedy, Bruce E. Tarr, Richard T. Moore, Michael R. Knapik and other members of the General Court for legislation relative to real estate tax abatements, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Revenue.

Real estate tax abatements.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2027) was referred, in concurrence, to the committee on Revenue.

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 Garrett J. Bradley relative to civil action for the sale, delivery or furnishing of alcoholic beverages to persons under the age of twenty-one. Under suspension of the rules, on motion of Mr. Mariano of Quincy, 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.

Underage drinking.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, Nos. 321 and 2065, a Bill relative to the treatment of cleft palate and cleft lip (House, No. 2065). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Cleft palate and lip, — treatment.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, No. 1195, a Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3727). Read; and referred, under Rule 33, to the committee on Ways and Means.

Banks, — licensing.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to environmental performance standards for plumbing fixtures (House, No. 231,

Plumbing fixtures, — standards.

Plumbing
fixtures,—
standards.

changed in section 2, in line 44, by striking out the word "subsection" and inserting in place the word "section"; in line 48 and also in line 58, by striking out the figures "1.28" and inserting in place, in each instance, the figures "1.6"; in line 50, by striking out the year "2011" and inserting in place the year "2012"; in line 52, by striking out the following: "A112.19.2-2008, or A112.19.14-2006" and inserting in place the following: "A112.19.2, or A112.19.14"; in line 56, by inserting after the word "Engineers" the word "with"; in line 82 and also in line 84, by striking out the figures "2006"; and in lines 98 to 103, inclusive, by striking out the two paragraphs contained in those lines). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Donna Jean
Kelly,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Donna Jean Kelly, an employee of the trial court (see Senate, No. 2013), 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.

Engrossed Bill.

Bill
enacted.

The engrossed Bill establishing a business and economic development special revenue fund in the city of Marlborough (see House, No. 1452, 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.

~~Reviewing the membership of the Massachusetts Fire Building Council (Senate, No. 1488) (its title having been changed by the committee on Bills in the Third Reading); and~~

Establishing a sick leave bank for Stephen Thomas, an employee of the Department of Correction (Senate, No. 2014);

~~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.~~

Id.

House bills
Relative to eligibility of ward councilors-elect in the city of Gardner to assume office (printed as Senate, No. 1936) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the city of Medford to increase fees for special details performed by public employees in the city (House, No. 3530) (its title having been changed by the committee on Bills in the Third Reading); and

Designating a portion of land in the town of Salisbury as the Reverend Thomas B. Morgan square (House, No. 3713);

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.

Mr. Markey of Dartmouth then moved that as a mark of respect to the memory of Roger L. Tougas, a member of the House from Dartmouth from 1980 to 1988, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at thirteen 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.

JOURNAL OF THE HOUSE.

Monday, October 3, 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.

Resolutions.

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

Resolutions (filed by Mr. Bradley of Hingham) congratulating the town of Hingham on the one hundred and fortieth anniversary of the birthday of Seaman Herbert Lewis Foss;

Herbert Lewis Foss.

Resolutions (filed by Mr. Kocot of Northampton) congratulating the Florence Congregational Church on the celebration of its one hundred and fiftieth anniversary; and

Florence Congregation Church.

Resolutions (filed by Mr. Kocot of Northampton) congratulating Louise Kanus as a member of the Massachusetts Board of Library Commissioners and member of the Board of Directors of the Western Massachusetts Regional Library System;

Louise Kanus.

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.

Annual Reports.

Annual reports

Third annual report of the Children's Behavioral Health Advisory Council (under paragraph (e) of Section 16P of Chapter 6A of the General Laws as inserted by Chapter 321 of the Acts of 2008) for the fiscal year 2011;

Children, behavioral health advisors.

Of the Massachusetts Life Sciences Center for the fiscal year 2011 (under Section 15 of Chapter 231 of the General Laws) accompanied by the center's fiscal year 2011 audit report [copies had been forwarded by the Center to the committee on Ways and Means and the committee on Economic Development and Emerging Technologies; and the text was posted on the internet by the Clerk in accordance with the provisions of the law]; and

Life Sciences Center.

Of the Massachusetts Legal Assistance Corporation (under Section 10 of Chapter 221A of the General Laws) relative the discrimination and evaluation of each program and a summary of the expenditures for such programs for the fiscal year ending June 30, 2011;

Legal Assistance Corporation.

Severally were placed on file.

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.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Mariano of Quincy, a petition (subject to Joint Rule 12) of Ronald Mariano and others for legislation to establish a sick leave bank for Dinamarie McCarthy, an employee of the Department of Children and Families.

Dinamarie McCarthy, sick leave.

By Mr. Wagner of Chicopee and Senator Knapik, a joint petition (subject to Joint Rule 12) of Joseph F. Wagner and Michael R. Knapik for legislation to establish a sick leave bank for Lawrence Mainville, and employee of the Massachusetts Department of Transportation.

Lawrence Mainville, sick leave.

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

Papers from the Senate.

Bills Exempting the position of police chief in the town of Marblehead from the civil service law (Senate, No. 1929) (on a petition) [Local Approval Received]; and

Marblehead, police chief.

Authorizing the town of Newbury to use certain fund balances for capital expenditures (Senate, No. 1934) (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.

Newbury, capital expenditures.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill Senate, No. 2026) of Gale D. Candaras and Brian Ashe (by vote of the town) for legislation to validate the actions taken at the annual town election in the town of Hampden. To the committee on Election Laws.

Hampden, validate election.

Petition (accompanied by bill Senate, No. 2025) of Patricia D. Jehlen, Sal N. DiDomenico, Denise Provost, Carl M. Sciortino, Jr., and other members of the General Court (with the approval of the mayor and board of aldermen) for legislation to authorize the city of Somerville to incur debt on certain property under control of said city. To the committee on Municipalities and Regional Government.

Somerville, incur debt.

Petition (accompanied by bill Senate, No. 2024) of Michael O. Moore (with the approval of the mayor and city council) for legislation to allow the city of Worcester to utilize video cameras to enforce certain traffic violations. To the committee on Transportation.

Worcester, video traffic monitoring.

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 Patrick Higgins and Michael J. Rodrigues relative to the regulation and licensing of locksmiths. Under suspension of the rules, on motion of Ms. Wolf

Locksmith, licensing.

Locksmith,—
licensing.

of Cambridge, 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.

Firearms,—
licensing.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to the licensing of firearms for person 70 years of age or older (House, No. 653), 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. 3700),— 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 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:

Malden,—
taxes.

The Senate Bill increasing the exemption for certain residential real property in the city of Malden (Senate, No. 1895) [Local Approval received]; and

House bills

Wareham,—
bridge.

Designating a certain bridge on interstate highway Route 195 in the town of Wareham as the 1st Sgt. Charles W. Parker Memorial Bridge (House, No. 915);

Relative to signs on the Massachusetts Turnpike (House, No. 923);

Turnpike.
Revere,—
city clerk.

Relative to the term of office of City Clerk of the city of Revere (House, No. 3656) [Local Approval Received];

Plympton,—
treasure-etc.

Creating the position of treasure-collector in the town of Plympton (House, No. 3676) [Local Approval Received];

Scenic
byways.

To further define a scenic byway in the towns of Arlington, Lexington, Lincoln, and Concord (House, No. 3712);

Hanover,—
liquor license.

Authorizing the town of Hanover to grant a certain license for the sale of alcoholic beverages (House, No. 3721); and

Metal
dealings.

Regulating secondary metals dealings (House, No. 3723);

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 Measures.

Stephen
Thomas,—
sick leave.

The engrossed Bill establishing a sick leave bank for Stephen Thomas, an employee of the Department of Correction (see Senate, No. 2014), 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 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 Brunilda Rivera, an employee of the Department of Environmental Protection (see House, No. 3328, 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.

Brunilda
Rivera,—
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 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 Michael Jordan, an employee of the Trial Court (see House, No. 3446), 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
Jordan,—
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 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 Donna Jean Kelly, an employee of the Trial Court (see Senate, No. 2013) (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 validating the actions taken at certain elections held in the town of Abington (see House bill printed in House, No. 3664) (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 increasing the membership of the Massachusetts Fire Training Council (see Senate, No. 1883) (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 signed by the acting Speaker and sent to the Senate.

Id.

JOURNAL OF THE HOUSE,

Third reading bill.

Next sitting.

Orders of the Day.

The House Bill relative to the issuance of public health warnings (House, No. 1474, changed), 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 twelve o'clock noon.

At nineteen 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 Wednesday at twelve o'clock noon.