

JOURNAL OF THE HOUSE.

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.

Cost-of-living adjustment,— retirees.

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; Severally were placed on file.

Unemployment Trust Fund.

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 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 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 classification 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].

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

Uniform Gift Act.

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.