

- H2188
- Filed By:
- Alicea

An Act to Prohibit Novelty Lighters. for legislation to prohibit the sale of novelty lighters

Secondary Sponsors

Stephen L. DiNatale , Elizabeth A. Poirier , Jennifer M. Callahan , Cory Atkins , and Christine E. Canavan

Bill History

1.20.2009 | --- | H | Referred to the committee on Joint Committee on Public Safety and Homeland Security

1.20.2009 | --- | S | Senate concurred

11.23.2009 | --- | H | Accompanied a new draft, see H4369

Bill text

HOUSE DOCKET, NO. 3823 FILED ON: 1/16/2009

HOUSE No.
2188

The Commonwealth of Massachusetts

PRESENTED BY:
Geraldo Alicea

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to Prohibit Novelty Lighters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldo Alicea	6th Worcester
Stephen L. DiNatale	3rd Worcester

Christine E. Canavan	10th Plymouth
Cory Atkins	14th Middlesex
Elizabeth Poirier	14th Bristol
Jennifer M. Callahan	18th Worcester

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROHIBIT NOVELTY LIGHTERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 52A of Chapter 146 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following new section:-

Section 52B. No person shall manufacture, store, keep for sale, sell, give away, or transport any novelty lighter. For the purposes of this section, a novelty lighter is defined as a mechanical or electrical device typically used for lighting cigarettes, cigars, or pipes that has audio or visual effects, or that resembles in physical form or function articles commonly recognized as appealing to or intended for use by children 10 years of age or younger. This includes, but is not limited to, lighter that resemble cartoon character, toys, guns, watches, musical instruments, vehicles, toy animal, food or beverages, or that play musical notes or have flashing lights or other entertaining features. A novelty lighter may operate on any fuel, including butane or liquid fuel. This section shall not apply to novelty lighters that were manufactured before January 1, 1980 or that are considered to be collectable items.

Whoever manufactures, stores, keeps for sale, sells, gives away, or transports any novelty lighters shall be punished by a fine of not more than \$100 dollars.

Results for *Bill Number: H4369*

- **H4369**
- Filed **An Act to Prohibit the Use of Novelty Lighters in the Commonwealth. Prohibiting**
By: the Use of Novelty Lighters in the Commonwealth
- Costello

Bill History

11.23.2009 | --- | H | Reported from the committee on Joint Committee on Public Safety and Homeland Security

11.23.2009 | --- | H | New draft of H2188 and H3924

11.23.2009 | --- | H | Bill reported favorably by committee and referred to the committee on House Committee On Steering, Policy and Scheduling

12.7.2009 | --- | H | Committee reported that the matter be placed in the Orders of the Day for the next sitting

12.7.2009 | --- | H | Rules suspended

12.7.2009 | --- | H | Read second and ordered to a third reading

5.4.2010 | --- | H | Read third (title changed), amended and passed to be engrossed

5.5.2010 | --- | S | Bill reported favorably by committee and referred to the committee on Senate Committee on Ethics and Rules

7.29.2010 | --- | S | Committee reported that the matter be placed in the Orders of the Day for the next session, inserting in place thereof the text of S2578

7.29.2010 | --- | S | Rules suspended

7.29.2010 | --- | S | Read second

7.29.2010 | --- | S | Amended by striking out all after the enacting clause and inserting in place thereof the text contained in S2578

7.29.2010 | --- | S | Ordered to a third reading

7.29.2010 | --- | S | Read third and passed to be engrossed

Bill History

7.30.2010 | --- | H | Rules suspended

7.30.2010 | --- | H | House concurred in the Senate amendment

7.31.2010 | --- | H | Enacted

7.31.2010 | --- | S | Enacted and laid before the Governor

8.9.2010 | --- | J | Signed by the Governor, Chapter 276 of the Acts of 2010

Bill text

HOUSE DOCKET, NO. 94369 FILED ON: 11/23/2009

HOUSE No.
4369

The Commonwealth of Massachusetts

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, on House, No. 2188 and 3824, a Bill to prohibit novelty lighters in the Commonwealth (House, No. 4369) November 23, 2009 .

An Act to Prohibit the Use of Novelty Lighters in the Commonwealth.

FOR THE COMMITTEE :

<u>NAME:</u>	<u>DISTRICT/ADDRESS:</u>
Michael A. Costello	1st Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act to Prohibit the Use of Novelty Lighters in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 52A of chapter 148 of the general laws, as appearing in the 2006 official edition, is hereby amended by adding the following new section;-
Section 52B,

No person shall manufacture, keep for sale, sell, give away, store or transport, except as provided herein, any novelty lighter. For the purposes of this section a novelty lighter is defined as a mechanical or electrical device typically used for the lighting of cigarettes, cigars or pipes that has audio or visual effects or that resembles in physical form or function, articles commonly recognized as appealing to or intended for use by children 10 years of age or younger. This includes, but is not limited to, lighters that resemble cartoon characters, toys, guns, watches, musical instruments, vehicles, toy animals, beverages, sporting equipment, or that play musical notes or have flashing lights or other entertaining features. A novelty lighter may operate on any fuel including butane or liquid fuel. This section shall not apply to novelty lighters manufactured before January 1, 1980 and which are considered collectible items.

This section shall not apply to the interstate transportation of novelty lighters as defined herein or the temporary storage of said lighters while in interstate commerce and not intended for sale or use in the Commonwealth.

Any person who violates the provisions of this section shall be punished by a fine of not less than \$500 and not more than \$1,000 or by imprisonment for not more than one year, or both.

JOURNAL OF THE HOUSE.

Tuesday, January 20, 2009.

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 of Rule 5, to perform the duties of the Chair.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, at the beginning of today's legislative session we pause for a moment to focus our attention on You, and the role of spiritual values in our lives. In our decision making process, may we be guided by Your values, principles and precepts which gives meaning and direction to us in our own daily lives. Today we celebrate the inauguration of our 44th president. We pray that he and his administration will be successful and will advance peace, justice, prosperity and stability in our country and in our communities. Inspire us, as a nation, to make our communities safe and cooperative in promoting jobs, education and housing opportunities for all people. May the enthusiasm and happiness of today remain with us as we together build a strong, civil and ethical society. When we disagree on sensitive or controversial issues, let our disappointment be honest, respectful, based on sound reasoning and principles and on the meaning of the common good.

Grant Your blessings on the Speaker, the members and employees of this House and their families. Amen.

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.

Appointments of the Minority Leader.

The Minority Leader announced that he had made the following appointments:

Construction waste, burning.

That Representative Polito of Shrewsbury had been appointed to the special commission established (under Section 87 of Chapter 169 of the Acts of 2008) for the purpose of making an investigation and study relative to the burning of construction and demolition waste as it relates to the renewable energy portfolio standard program established by section 11F of chapter 25A of the General Laws;

Green building plan.

That Representative Smola of Palmer had been appointed to the special commission established (under Section 88 of Chapter 169 of the Acts of 2008) to examine the environmental and economic impact of establishing a green building plan for the Commonwealth;

Creative Economy Council.

That Representative deMacedo of Plymouth had been appointed to the Creative Economy Council established (under Chapter 354 of the Acts of 2008) to develop a statewide strategy for the enhancement, encouragement, and growth of the creative economy in the

Commonwealth and to promote through public and private means responsive public policies and innovative private sector practices; and

That Representative Ross of Wrentham had been appointed to the special commission established (under Section 3 of Chapter 509 of the Acts of 2008) to study the transferability of tax credits under subsection (p) of section 6 of chapter 62 of the General Laws and section 38AA of chapter 63 of the General Laws. Tax credit transferability.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M. Next sitting.

At thirteen minutes after 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 on Thursday next at eleven o'clock A.M., in an Informal Session.

H 1/20/09

H 11/23/09

UNCORRECTED PROOF

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 23, 2009.

[123]

JOURNAL OF THE HOUSE.

Monday, November 23, 2009.

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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, our Creator, each day we place our trust and confidence in You, Your ways and Your always available assistance as we take up and address the items on our agenda for the day. We believe that guidance enables us to make right, just and moral decisions and choices at all times. Today we begin a busy season of the year as we prepare to absent observe and celebrate national holidays and religious holidays. On Thursday, we celebrate Thanksgiving Day, a national holiday and a family day, on which we take the time to thank You for our material and spiritual blessings. The day also reminds us of our national tradition of turning our attention to spiritual realities as well as to happy and joyous gatherings of relatives and friends for a special meal. Thanksgiving Day also reminds us of both the spiritual and human dimension of our lives and our dependence on You for our existence.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

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:

Joseph R. Foley.

Resolutions (filed by Mr. Calter of Kingston) congratulating Joseph R. Foley on receiving the Eagle Award of the Boy Scouts of America; and

Cambridge Innovation Center.

Resolutions (filed by Representatives Wolf of Cambridge and Toomey of Cambridge) congratulating the Cambridge Innovation Center on the occasion of its tenth anniversary.

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. Basile of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Civil service promotional lists.

A communication from the Human Resources Division of the Executive Office for Administration and Finance (under the provi-

sions of Section 25 of Chapter 31 of the General Laws) submitting a list of certain public safety fire promotional lists which have been revoked by the Personnel Administrator as of November 1, 2009, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Kafka of Stoughton, petition (accompanied by bill, House, No. 4371) of Louis L. Kafka, James E. Timilty and Brian A. Joyce (by vote of the town) that the town of Sharon be authorized to grant an additional license for the sale of wine and malte beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Sharon,—
liquor
license.

By Mr. Hargraves of Groton, petition (accompanied by bill, House, No. 4354) of Robert S. Hargraves and Steven C. Panagiotakos (by vote of the town) that the town of Groton be authorized to use revenues from the Groton Sewer Enterprise Fund.

Groton,—
sewer
fund.

By Mr. Hargraves of Groton, petition (accompanied by bill, House, No. 4355) of Robert S. Hargraves and Steven C. Panagiotakos (by vote of the town) relative to the charter for the town of Groton.

Groton,—
charter.

By Mr. Rodrigues of Westport, joint petition (accompanied by bill, House, No. 4368) of Michael J. Rodrigues and Joan M. Menard (by vote of the town) that the town of Westport be authorized to lease a portion of the Westport Town Farm to the Trustees of Reservations.

Westport,—
land.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Paper from the Senate.

A Bill designating a certain bridge in the town of Uxbridge as the Titus Ebbeling Memorial Bridge (Senate, No. 2159) (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.

Ebbeling
memorial
bridge.

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 Demetrius J. Atsalis for legislation to create a narcotics offender registry. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Narcotics
offender
registry.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to time-share ownership (House, No. 1287), and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure. Under Rule 42A, the report was considered forthwith; and it was accepted.

Timeshares.

- Self defense sprays. By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, on Senate, Nos. 929 and 975 and House, Nos. 2237, 2274 and 2288, a Bill relative to increasing the accessibility to nonlethal self defense sprays (House, No. 2288).
- Fire chief,— qualifications. By the same member, for the same committee, on a petition, a Bill relative to standards and qualifications for the position of fire chief or chief engineer in cities, towns, fire districts, or authorities (House, No. 2295).
- Borrowing limit. By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2810, a Bill amending Chapter 62C of the General Laws (House, No. 4367).
- Public construction. By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 3043, a Bill relative to the health and safety on public construction projects (House, No. 4366).
Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- Sober housing. By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, on a petition, a Bill further prohibiting discrimination in sober housing (House, No. 2206).
- Novelty lighters. By the same member, for the same committee, on House Nos. 2188 and 3924, a Bill to prohibit the use of novelty lighters in the Commonwealth (House, No. 4369).
- Dartmouth,— financing district. By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a petition, a Bill creating the Lincoln Park infrastructure financing district in the town of Dartmouth (House, No. 611) [Local Approval Received].
- Stoneham,— town government. By the same member, for the same committee, on a petition, a Bill regarding the selectman-town administrator form of government (printed in House, No. 633) [Local Approval Received].
- County manager. By the same member, for the same committee, on a petition, a Bill relative to the qualification, service and salary of the county manager (House, No. 1993).
- Sewer assessments. By the same member, for the same committee, on a petition, a Bill clarifying sewer assessment options (House, No. 3468, changed in line 5, by striking out the word "betterment" and inserting in place thereof the word: "sewer"; and in line 13, by striking out the words "municipal borrowing" and inserting in place thereof the words: "any amount borrowed for the sewer system").
- Bill St. Claire,— sick leave bank. By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Bill St. Claire, an employee on the Department of Corrections (House, No. 4337).
- Laraine Nasif,— sick leave. By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Laraine Nasif, an employee of the Department of Revenue (House, No. 4362).
- Patricia Cahill,— sick leave. By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Patricia Cahill (House, No. 4363).
- Harbor and shellfish board. By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill exempting the harbor and shellfish advisory board membership from conflict of interest

MONDAY, NOVEMBER 23, 2009.

793

regarding discussion of shellfish licensing (House, No. 1126) [Local Approval Received].

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

Engrossed Bills.

The engrossed Bill relative to Martha's Vineyard Hospital (see Senate, No. 2146, amended (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.

Engrossed bills

Regulating the sport of mixed martial arts (see Senate, No. 998, changed and amended) (which originated in the Senate); and Bills enacted.

Designating a certain bridge in the city of Malten as the DiPaola Brothers Veterans Bridge (see House, No. 3209) (which 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.

The House Bill relative to the provision of services to the city of Cambridge by the Cambridge Energy Alliance (House, No. 1916), 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. Third: reading bill.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M. Next sitting.

At seventeen minutes after eleven o'clock, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an informal session.

H 12/7/09

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The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 7, 2009.

[127]

JOURNAL OF THE HOUSE.

Monday, December 7, 2009.

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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, may this moment of personal reflection and prayer be a reminder to us of Your presence in our midst. We believe that You and the assistance which You make available to us enable us to make sound, prudent and thoughtful decisions and choices as we face our daily tasks. In addressing the concerns of our constituents, may we be open to their input as we formulate public policy and evaluate proposed legislation. In our effort to make just, fair and objective legislative choices, free our minds and hearts of all prejudices, envy discord and confusion. Imagine us to remain faithful to our traditional principles and traditional religious values. During this special season of the year, may spiritual realities guide the direction of our daily lives and actions.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

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.

Message from the Governor.

A message from His Excellency the Governor submitting a request for an appropriation for the fiscal year 2010 to provide for supplementing a certain existing appropriation (House, No. 4388), was filed in the office of the Clerk on Friday, December 4, 2009.

Emergency Family Shelters Program.

The message was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating Kevin Blais on receiving the Eagle Award of the Boy Scouts of America;

Kevin Blais.

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating John Gregorek on receiving the Eagle Award of the Boy Scouts of America; and

John Gregorek.

Resolutions (filed by Mr. Smola of Palmer) congratulating Ms. Beth Kaltner on the occasion of her retirement.

Beth Kaltner.

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. O'Flaherty

of Chelsea (Mr. Petrolati of Ludlow being in the Chair), the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Colrain,—
recall
elections.

Mr. Guyer of Dalton presented a petition (accompanied by bill, House, No. 4384) of Denis E. Guyer and Stanley C. Rosenberg (by vote of the town) for legislation to provide for recall elections in the town of Colrain; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Sales
tax.

Ms. Peisch of Wellesley presented a petition (subject Joint Rule 12) of Alice Hanlon Peisch relative to the sales tax imposed on purchases of tangible personal property outside the Commonwealth; and the same was referred, under Rule 24 to the committee on Rules.

Paper from the Senate.

Malden,—
DiPaola
Bridge.

The engrossed Bill designating a certain bridge in the city of Malden as the DiPaola Brothers Veterans Bridge (see House, No. 3209) came from the Senate with an amendment striking out the first sentence and inserting in place thereof the following sentence: "Bridge #M-01-006 on Clifton street in the city of Malden shall be designated and known as the DiPaola Brothers Combat Veterans Memorial Bridge, in honor of John J. DiPaola, USAF, Arthur P. DiPaola, USMC, and Rocco V. DiPaola, USN, and all siblings who served simultaneously in combat in the United States military in defense of our country."

Under suspension of Rule 35, on motion of Mr. Fallon of Malden, 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.

Lori and Eric
Polson,—
sick leave
banks.

The House Bill establishing sick leave banks for Lori Polson and Eric Polson, employees of the Department of Correction (House, No. 4273) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2225.

Under suspension of Rule 35, on motion of Mr. Flynn of Bridgewater, 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.

Charlton
dams.

A Bill to authorize the town of Charlton to acquire dams within the town, to make improvements to dams and to authorize the assessment of betterments to pay costs associated therewith (Senate, No. 2108, amended in section 1, in lines 3 and 4, by striking out the words "incidental or related thereto, if such dam and any incidental" (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the word: "appurtenant thereto, if such dam and any appurtenant"), (on a petition) [Local Approval Received].

A Bill designating a certain bicycle path in the city of Fall River and the town of Somerset as the Pvt. Michael E. Bouthot bicycle path (Senate, No. 2204) (on Senate, No. 2188). Pvt. Bouthot
bicycle path.

A Bill relative to extending the deadline for mailing quarterly tax bills (Senate, No. 2226) (on a petition). Quarterly
tax
bills.

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.

A petition (accompanied by bill, Senate, No. 2224) of Steven C. Panagiotakos (with the approval of the mayor and city council) for legislation relative to transfer the Paul E. Tsongas Arena from the city of Lowell to the University of Massachusetts Building Authority, was referred, in concurrence, to the committee on Municipalities and Regional Government. Tsongas
Arena.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill designating a certain bridge in the city of Taunton as the Sgt Shane Duffy Bridge (Senate, No. 2203) be scheduled for consideration by the House. Taunton,—
Duffy
Bridge.

Under suspension of Rule 7A, on motion of Mr. Spellane of Worcester, 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 House Bill creating the Lincoln Park infrastructure financing district in the town of Dartmouth (House, No. 611) be scheduled for consideration by the House. Dartmouth,—
Lincoln
Park.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, 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 House Bill establishing a sick leave bank for Anne Smith, an employee of the Department of Revenue (House, No. 4353) be scheduled for consideration by the House. Anne
Smith,—
sick leave
bank.

Under suspension of Rule 7A, 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 House Bill to prohibit the use of novelty lighters in the Commonwealth (House, No. 4369) be scheduled for consideration by the House. Novelty
lighters,—
prohibit.

Under suspension of Rule 7A, on motion of Mr. Cantwell of Marshfield, the bill was read a second time forthwith; and it was ordered to a third reading.

Utility and
construction
site safety.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the Bill relative to the safety and protection of utility work and construction sites (House, No. 3067),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Olivia
Mulhall,—
sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Olivia Mulhall, an employee of the Department of the Trial Court (House, No. 4361).

Spencer,—
tax
abatements.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill authorizing the Town of Spencer to grant real and personal property tax abatements to members of the Massachusetts National Guard and Reservist Units called to active duty and serving in a foreign country (House, No. 1134).

Wayland,—
real estate
taxes.

By the same member, for the same committee, on a petition, a Bill relative to real estate taxes in the town of Wayland (House, No. 1903).

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

Emergency Measure.

Deborah
Kotarba,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Deborah Kotarba, an employee of the Trial Court (see House, No. 4269), 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.

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.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Authorizing the town of Charlton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 114, amended) (which originated in the Senate); and

Relative to the board of registration of social workers (see House, No. 4262) (which 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.

MONDAY, DECEMBER 7, 2009.

813

Orders of the Day.

The Senate Bill authorizing the city of Salem to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2093) (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, in concurrence.

Third
reading
bill.

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.

Representatives Spellane of Worcester, Keenan of Salem and Ehrlich of Marblehead then moved that as a mark of respect to the memory of J. Hillary Rockett, a member of the House from Marblehead from 1963 to 1972, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty-five minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.

H 5/4/10

1345

JOURNAL OF THE HOUSE.

Tuesday, May 4, 2010.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Holy Spirit of God, we pray that at all times our hearts and minds be open to You and Your Ways. We believe that You, Your ways, spiritual gifts and precepts offer us personal peace, happiness and a sense of purpose and direction for daily living. As we carry-out our duties and responsibilities, which are often arduous, we look to You for guidance and courage in our decision-making actions. May we have a deep love of objective truth, for You are Truth, our families, neighbors and country. Inspire us to work collaboratively in a common effort to strengthen our basic institutions, our concern for the well-being of all people and our respect for moral principles and integrity. May our country be an example to all nations that we respect the dignity of all, especially to the innocent and those who depend upon others for their daily existence.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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.

Change in a House Standing Committee.

Representative Perry of Sandwich announced that he had resigned (at his own request) from the House committee on Ethics, effective February 2, 2010.

Resolutions.

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

Resolutions (filed by Mr. Greene of Billerica and other members of the House) congratulating the Greater Boston Chapter of the American Society of Safety Engineers on its celebration of North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day;

Resolutions (filed by Mr. Greene of Billerica and other members of the House) supporting Taiwan's participation as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) and United Nations Framework Convention on Climate Change (UNFCCC);

Resolutions (filed by Messrs. Hecht of Watertown and Honan of Boston) congratulating Boston College head hockey coach Jerry York;

Prayer.

Pledge of allegiance.

House Ethics.

Safety Engineers.

Taiwan, climate change.

Jerry York.

Boston College, — hockey team.

Arthur T. Gerald, Jr.

T/SGT. Elmer R. Hammond.

Resolutions (filed by Messrs. Honan of Boston, Timilty of Milton and Linsky of Natick) congratulating the Boston College men's ice hockey team for winning the 2010 National Championship; and

Resolutions (filed by Mr. Keenan of Salem) congratulating Reverend Arthur T. Gerald, Jr. on his retirement from Salem State College;

Resolutions (filed by Mr. Webster of Pembroke) on the occasion of renaming the American Legion Post 226 after T/SGT. Elmer R. Hammond of Hanson;

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. Smith of Everett, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

Joint standing committees, — extension of time for reporting.

An order (filed this day by Mr. Binienda of Worcester) relative to extending until Tuesday, May 18, 2010, the time within which joint standing committees and the committees on Rules of the two branches, acting concurrently, are authorized to make reports on all matters referred to them, was referred, under Rule 30, to the committees on Rules of the two branches, acting concurrently:

Mr. Binienda, for said committees, then 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.

Papers from the Senate.

Kayaks.

The engrossed Bill relative to kayaks (Senate, No. 974) came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4567).

Committee of conference.

The bill 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 O'Leary, Timilty and Hedlund had been appointed the committee on the part of the Senate.

On motion of Mr. Straus of Mattapoisett, the House insisted on its amendment; and, on further motion of the same member, concurred with the Senate in the appointment of a committee of conference. Representatives Straus, Costello of Newburyport and Peterson of Grafton were appointed the committee on the part of the House. Sent to the Senate to be noted.

Civil service laws.

The House Bill exempting non-public safety employees from the civil service laws (House, No. 4198) (its title having been changed by the Senate committee on Bill in the Third Reading) came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

"SECTION 2. The provisions of section 1 shall not impair the civil service status of any person holding a position in the town of Brookline, including its school department, on the effective date of this act."

Under suspension of Rule 35, on motion of Mr. Smizik of Brookline, 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.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

"Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on Consumer Protection and Professional Licensure be granted until Monday, May 31, 2010 in which to make its final report on current Senate document numbered 2346 relative to consumer protection and professional licensure in the Commonwealth."

Consumer Protection and Professional Licensure committee, — extension of time for reporting.

Under suspension of the rules, on motion of Mr. Speliotis of Danvers, the order was considered forthwith; and it was adopted, in concurrence.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

"Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on the Judiciary be granted until May 21, 2010, within which time to make its final report on current Senate document numbered 977, relative to the Judiciary."

The Judiciary committee, — extension of time for reporting.

Under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the order was considered forthwith; and it was adopted, in concurrence.

Bills

Relative to rock wall climbing safeguards (Senate, No. 959, amended in section 1, in lines 4, 7 and 11, by striking out the figures "10" and inserting in place thereof, in each instance, the figures "12"; in section 2, in line 20, by striking out the date "January 1, 2010" and inserting in place thereof the following date "June 30, 2010"; by striking out section 3 and inserting in place the following section:

Rock wall climbing— regulate.

"SECTION 3. Section 1 shall take effect July 31, 2010. Section 2 shall take effect upon its passage."; and by inserting before the enacting clause the following emergency preamble:

"Whereas; The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide rock wall climbing safeguards, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.") (on a petition);

Protecting consumers from unsolicited loans (Senate, No. 2393) (on Senate bill No. 447);

Unsolicited loans.

Relative to the disposition of museum property (Senate, No. 2402) (on Senate bill No. 1864);

Museums.

Relative to sale of antique barometers, thermometers and clocks (Senate, No. 2403) (on Senate bill No. 2262);

Mercury devices.

Relative to the estate of homestead (Senate, No. 2406) (on Senate bill No. 2404); and

Homestead.

Neighborhoods. To stabilize neighborhoods (Senate, No. 2407) (on Senate bill No. 2394).

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Tanning facilities. The Senate Bill further regulating tanning facilities (Senate, No. 2339) (on Senate, No. 903), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Infertility treatments. A report of the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to increasing coverage for infertility treatments (Senate, No. 485),—and recommending the same be referred to the committee on Senate Ways and Means,—accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge.

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

James E. Munchbach. Petition (accompanied by bill, Senate, No. 2413) Marian Walsh for legislation to establish a sick leave bank for James E. Munchbach, an employee of the Trial Court. To the committee on the Judiciary.

Trenches. Petition (accompanied by bill, Senate, No. 2409) of Stephen M. Brewer, Anne M. Gobi and Denis E. Guyer for legislation relative to trenches on private property. To the committee on Public Safety and Homeland Security.

Michael J. Simone. Petition (accompanied by bill, Senate, No. 2412) of Stephen M. Brewer and Anne M. Gobi for legislation relative to the survivor benefits of Michael J. Simone. To the committee on Public Service.

Athol,— easements. Petition (accompanied by bill, Senate, No. 2411) of Stephen M. Brewer and Christopher J. Donelan for legislation to authorize the Department of Fish and Game to acquire land and to acquire a conservation restriction on lands of the town of Athol in exchange for grants of easements to the town of Athol. To the committee on State Administration and Regulatory Oversight.

Barre,— Purple Heart Bridge. Petition (accompanied by bill, Senate, No. 2410) of Stephen M. Brewer and Anne M. Gobi for legislation to designate a certain bridge in the town of Barre as the Purple Heart Bridge. To the committee on Transportation.

Report of the Committee on Telecommunications, Utilities and Energy on Bill introduced into the General Court by Initiative Petition.

Carbon emissions,— limit. By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, that the Act to limit carbon dioxide emissions from renewable and alternative energy sources (House, No. 4458) (introduced in the General Court by initiative petition of Susan E. Laing and others) ought not to pass.

The majority report of the committee (House, No. 4642) is as follows:

MAJORITY REPORT.

The initiative petition, HB 4458, places severe emission restrictions on a broad range of renewable energy plants, including electric biomass and waste-to-energy plants, limiting our energy choices, harming our state's economy, and preventing the state from meeting our renewable energy goals. Although this initiative petition is well intentioned — limits on emissions from biomass plants are crucial in protecting our environment — the committee believes that the language of this particular petition is too broad, preventing the development of innovative technologies such as anaerobic digestion, which efficiently converts organic waste (such as food and agricultural waste) to energy.

The Committee notes that the Department of Energy Resources is currently analyzing the life cycle greenhouse gas emissions of electric biomass facilities, inclusive of the forest's role in carbon sequestration, and will review the Department's report when it is available. If the report's findings indicate to the Committee that action needs to be taken on this issue, it will take steps to enact the necessary restrictions at that time.

This overly broad initiative petition would prevent the development of many forms of renewable energy by cutting off their access to essential incentives. The Committee recognizes that, in order to address the Commonwealth's economic, energy, and climate challenges, all renewable energy technologies must be responsibly considered. Therefore, we, the majority of the Joint Committee on Telecommunications, Utilities and Energy, recommend that the Initiative Petition HB 4458 OUGHT NOT TO PASS [Representative Ehrlich of Marblehead, dissenting].

Senators.

MICHAEL W. MORRISSEY,
KENNETH J. DONNELLY,
BRUCE E. TARR,

Representatives.

BARRY R. FINEGOLD,
CARLO P. BASILE,
VIRIATO MANUEL DEMACEDO,
STEPHEN L. DINATALE,
KARYN E. POLITO,
ANGELO J. PUFFOLO, JR.

Since Article XLVIII as amended by Section 2 of Article LXXXI of the Amendments to the Constitution requires that a vote shall be taken by yeas and nays in both houses before the first Wednesday of May upon the enactment of such law in the form in which it stands in such petition; no action was taken beyond the receipt of the report of the committee.

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 following petitions:

Petition (accompanied by bill) of Michael F. Rush relative to the retirement benefit for Cecilia Davlin the surviving former wife of James Davlin. To the committee on Public Service.

Cecilia Davlin.

Natural
gas leaks.

Petition (accompanied by bill) of Lori Ehrlich, Steven J. D'Amico and others relative to the classification of and response to natural gas leaks. To the committee on Telecommunications, Utilities and Energy.
Under suspension of the rules, on motion of Mr. Smith of Everett, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Health
insurance,—
coverage.

Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Financial Services to make an investigation and study of certain House documents concerning financing and financial services (House, No. 4621) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 936) of Kay Khan and others relative to requiring that certain health insurance policies include coverage for eating disorders,—and recommending that the same be recommitted to the committee on Financial Services. Under Rule 42, the report was considered forthwith; and it was accepted.

Christopher J.
Doyle,—
benefits.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the town of Wilbraham to provide certain benefits to Christopher J. Doyle (Senate, No. 2104, amended) be scheduled for consideration by the House.
Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith, and it was ordered to a third reading.

Child
support.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on Senate, No. 36 and House, No. 3423, a Bill to bring child support home (House, No. 3423; changed by deleting sections 1, 4 and 5 and in line 32 by striking "October 1, 2009" and inserting in its place the following: "July 1, 2010").

Family
aid.

By the same member, for the same committee, on House, No. 129, a Bill regarding children and families requiring assistance (House, No. 4632).

Job
creation.

By Ms. Forry of Boston, for the committee on Community Development and Small Business, on House, No. 4490, a Bill providing for job creation by small businesses (House, No. 4629) [Senator Eldridge of Middlesex and Worcester dissenting].

Landfills.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4562, a Bill to protect citizens of the Commonwealth from unsafe and injurious landfills (House, No. 4639).

Animals,—
treatment.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on House, No. 3589, a Bill to provide for the safe care and treatment of animals (House, No. 4635).

Collective
bargaining.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill relative to collective bargaining (House, No. 2583).

Pension
funding.

By the same member, for the same committee, on House, No. 4439, a Bill providing municipal pension funding schedule relief (House, No. 4628).

Severally read; and referred, under Rule 33; to the committee on Ways and Means.

By Ms. Khan of Newton, for the committee on Children, Families and Persons with Disabilities, on a petition, a Bill to eliminate the use of the word retardation from the General Laws (House, No. 176).

"Retardation"—
use of word.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill relative to certain members of the Cambridge retirement system (House, No. 4280) [Local Approval Received].

Cambridge
retirement
system.

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

Engrossed Bill.

The engrossed Bill authorizing the town of Millbury to pay a certain unpaid bill (see House bill printed in House, No. 4525) (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.

Bill
enacted.

Orders of the Day.

Senate Bills

Relative to payment for services rendered for extraordinary storm damage in the town of Templeton (Senate, No. 2231);

Third
reading
bills.

Amending the charter of the town of Stoughton (Senate, No. 2238). (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the town of Chelmsford to convey certain conservation land and grant certain easements (Senate, No. 2287, amended);
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.

House bills

Modifying a conservation restriction in the town of North Andover (House, No. 598);

Relative to the Historical Districts Commission of the town of Concord (House, No. 632);

Authorizing the appointment of retired Millis police officers as special police officers in the town of Millis (House, No. 1882);

Relative to the conduct of public hearings on capital improvements plans in the town of North Andover (House, No. 1901);

Authorizing the government employers in the County of Dukes County to establish a pooled other post-employment benefits trust fund (House, No. 4105);

Designating the intersection in front of 306 Turtle Pond Parkway in the Hyde Park District of the city of Boston as Paul P. Loring Square (House, No. 4120);

Authorizing the Dukes County contributory retirement system to grant certain retirement benefits (House, No. 4174);

Authorizing the town of North Andover to amend a certain conservation restriction (House, No. 4194);

Designating the portion of state highway Route 140 located in the town of Upton as the George L. Wood Veterans of Foreign Wars

Third
reading
bills.

Post #5594 and the Marshall-Leland American Legion Post #173 Roadway (House, No. 4334) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Westport to lease a portion of the Westport Town Farm to the Trustees of Reservations (House, No. 4368);

Relative to the position of appointed treasurer-collector in the town of Freetown (House, No. 4415);

Authorizing the town of Brewster to use a portion of town-owned land for renewable energy projects (House, No. 4450);

Establishing the Raynham development revolving fund (House, No. 4485) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the Bayswater environmental program (House, No. 4511) (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.

Novelty
lighters,—
prohibit.

The House Bill prohibiting the use of novelty lighters (House, No. 4369) (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.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it in line 13 by inserting after the word "items" the following "or to standard disposable and refillable lighters that are printed or decorated with logos, labels, decals or artwork, or heat shrinkable sleeves".

The amendment was adopted; and the bill (House, No. 4369, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Dinamarie
McCarthy,—
sick leave.

The House Bill establishing a sick leave bank for Dinamarie McCarthy, an employee of the Department of Children and Families (House, No. 4615), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by adding the following sentence "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department."

The amendment was adopted; and the bill (House, No. 4615, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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.

At ten minutes before noon, on motion of Mr. Frost of Auburn (Mr. Kafka of Stoughton 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.

Friday, July 30, 2010.

Met according to adjournment, at twelve o'clock noon, 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.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to time-share ownership (see House, No. 4803) (for message, see House, No. 4960). was filed this day in the office of the Clerk. Time-share ownership.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment."

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Pedone of Worcester, to the committee on Bills in the Third Reading.

Statement Concerning Representative Creedon of Brockton.

A statement of Mrs. Haddad of Somerset concerning Mrs. Creedon of Brockton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House that I will not be present in the House Chamber for today's sitting and tomorrow's sitting due to my attendance at a family wedding outside of the Commonwealth. My missing of roll calls today and tomorrow will be due entirely to the reason stated. Statement concerning Mrs. Creedon of Brockton.

Special Staff Recognitions.

During the Session, the Chair (Mr. Petrolati of Ludlow), on behalf of Representative Binienda of Worcester, recognized Kristen Beilman, the Clerk of the Committee on Rules, who is departing to further her education as she pursues a master's degree in Washington, D.C. Kristen Beilman.

During the Session, Mr. Linsky of Natick briefly took the Chair for the purpose of introducing, upon their departure from service, three valued staff members from his office, Meredith Ballou, Katy Bruck and Laura Musano, who were seated in the House Chamber. Staff members: Ballou, Bruck and Musano.

Papers from the Senate

A Bill to establish standards for long term care insurance (Senate, No. 2554, amended in section 1, in line 6, by inserting after the word "institutionalized" the words "or permanently receiving care at home"; Long term care insurance.

Long term
care
insurance.

in section 2, in lines 62 to 68, inclusive, by striking out the text contained therein, in line 174, by striking out the word "may" and inserting in place thereof the word "shall", in line 315, by striking out the figure "8", in line 316, striking out the figure "4" and inserting in place thereof the figure "8", and also in line 316, by striking out the figures "24" and inserting in place thereof the figures "12"; and in section 3, in line 387, by inserting after the word "Actuaries" the words "Mass Home Care") (on Senate bill No. 2476), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Financial
literacy.

Concerning financial literacy in schools (Senate, No. 2275) (on Senate No. 299 and House Nos. 374, 375, 377, 407 and 478);

School
council.

Establishing the Massachusetts after school and out of school time coordinating council (Senate, No. 2278) (on Senate Nos. 250 and 276 and House No. 515);

Children,—
disabilities.

To improve augmentative and alternative communication opportunities for children (Senate, No. 2579) (on Senate bill No. 2293);

Contracts,—
decisions.

Relative to timely decisions by awarding authorities (Senate, No. 2580) (on Senate bill No. 2494); and

Automotive
industry
practices.

Further regulating business practices between motor vehicle dealers, manufacturers, and distributors (Senate, No. 2581) (on Senate bill No. 2508); Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

Dual alcohol
licensures.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to limiting certain types of dual alcohol licensures (Senate, No. 169, amended) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Pedone of Worcester, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further 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, in concurrence.

Engrossed Bills.

Bills
enacted.

Engrossed bills

Further regulating above ground tanks used for the storage of certain fluids (see Senate, No. 914) (which originated in the Senate);

Relative to deposits in trust for other persons (see House, No. 999);

Relative to the board of directors of the Massachusetts Water Resources Authority (see House, No. 3807);

Relative to health insurance and other benefits in the town of Phillipston (see House, No. 4196);

Relative to certain banking laws (see House, No. 4341);

Relative to disabled firefighters (see House, No. 4463);

Relative to the Massachusetts credit union share insurance corporation (see House, No. 4483);

Establishing the Massachusetts food policy council (see House, No. 4568, amended);

Exempting all positions in the police department of the town of Provincetown from the civil service law (see House, No. 4656);

Authorizing licensed independent clinical social workers to apply for the emergency hospitalization of persons who pose a risk of harm to themselves or others due to mental illness (see House, No. 4681); and

Relative to retirement benefits for Stanley Daoust (see House, No. 4709, amended);

(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.

Recess.

At half past twelve o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty-one minutes after one o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Recess.

Papers from the Senate.

The House Bill relative to pension divestment from certain companies that invest in the Republic of Iran (House, No. 4297, amended) (its title having been changed by the Senate committee on Bills in the Third Reading) came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

Republic of
Iran,—
divestment.

"SECTION 8. The treasurer shall conform all public fund investments related to companies doing business with Iran with the foreign policy of the United States of America and with 22 U.S.C. 8532."

Under suspension of Rule 35, on motion of Mr. Cabral of New Bedford, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Mr. Cabral and other members of the House then moved that the House concur with the Senate in its amendment with a further amendment by striking out section 8 (inserted by amendment by the Senate) and inserting in place thereof the following section:

"SECTION 8. The treasurer shall conform all public fund investments related to companies doing business with Iran with 22 U.S.C. § 8532."

The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

The House Bill adding safeguards to the prescription monitoring program (House, No. 4879, amended) came from the Senate passed to be engrossed, in concurrence, with the following amendments:

Prescription
monitoring
program.

Prescription monitoring program.

Striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2575; and striking out the title and inserting in place thereof the following title: "An Act adding safeguards to the prescription monitoring program and furthering substance abuse education and prevention."

Under suspension of Rule 35, on motion of Sánchez of Boston, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith.

Mr. Sánchez and other members of the House then moved that the House concur with the Senate in its amendments with a further amendments by striking out section 4 (inserted by amendment by the Senate); and the further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

Novelty lighters.

The House Bill prohibiting the use of novelty lighters (House, No. 4369, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2578.

Under suspension of Rule 35, on motion of Mr. Pedone of Worcester, 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.

Becket, — pond restoration.

The House Bill establishing the center pond restoration and protection district in the town of Becket (House, No. 3701) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2279.

Under suspension of Rule 35, on motion of Mr. Guyer of Dalton, 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.

Brewster, — renewable energy projects.

The House Bill authorizing the town of Brewster to use certain town-owned land for general town purposes, including renewable energy projects (House, No. 4450, amended) (its title having been changed by the Senate committee on Bills in the Third Reading) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 3 and inserting in place thereof the following three sections:

"SECTION 3. As a condition of the change in use authorized in section 1, if the parcel is used for renewable energy development purposes, the town of Brewster shall transfer a parcel of land under the care, custody, management and control of the board of selectmen and dedicated for general municipal purposes to the conservation commission and such parcel shall be dedicated for conservation, park or water protection purposes. If no suitable parcel is available for transfer to the conservation commission, the town shall acquire a parcel of land or a conservation restriction as defined in section 31 of chapter 184 of the General Laws upon private or public land. Any land so acquired shall

be placed under the jurisdiction of the conservation commission and shall be dedicated or restricted to conservation, park or water protection purposes. The parcel dedicated pursuant to this section, shall be of equal or greater size and value for conservation, park or water supply purposes as the disturbed area of the parcel described in section 1.

SECTION 4. If the land conveyed pursuant to section 1 ceases to be used for the purposes described in said section 1, the use of the land shall revert to the town of Brewster for conservation, water supply or public park purposes.

SECTION 5. This act shall take effect upon its passage."

Under suspension of Rule 35, on motion of Mr. Turner of Dennis, 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.

The House Bill relative to National Heritage commissions and corridors in the Commonwealth (House, No. 4492) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 5, inserting after the word "areas" (as changed by the House committee on Bills in the Third Reading) the words "designation by the United States Congress" and, in lines 7 to 10, inclusive, striking out the following: "as established in the Federal Omnibus Parks and Public Lands Management Act of 1996, division II, title V, section 504 of Public Law 104-133, and being in compliance with the federal Executive Office of Management and Budget's Circulars A-110, A-122, and A-133"; striking out section 4 and inserting in place thereof the following section:

"SECTION 4. Each state agency, department, board and commission: (1) shall consider Massachusetts' Heritage Areas when developing planning documents and processes, and (2) may partner with the managing entities of such areas on projects concerning, but not limited to, environmental protection, heritage resource preservation, recreation, tourism and trail development"; inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose; which is to recognize certain National Heritage Areas as entities in the service of the public good, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act relative to national heritage areas."

Under suspension of Rule 35, on motion of Mr. Fennell of Lynn, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

The House Bill authorizing the city known as the town of Amesbury to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4818) (its title having been changed by the Senate committee on Bills in the Third Reading) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 3, striking out the following: "Peter

National heritage areas.

Amesbury, — liquor license.

Suorsa d/b/a Apps B Taps," and inserting in place thereof the following: "Apps N' Taps, LLC, located".

Under suspension of Rule 35, on motion of Mr. Costello of Newburyport, 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.

Mendon,—
ballot
question.

The House Bill directing the State Secretary to place the office of selectmen on the state election ballot in the town of Mendon (House, No. 4849) came from the Senate passed to be engrossed, in concurrence, with an amendment inserting after section 2 the following section:

"SECTION 2A. Notwithstanding any general or special law to the contrary, the board of registrars shall complete certification of signatures on such nomination on or before 5:00 P.M. on August 17, 2010."

Under suspension of Rule 35, on motion of Mr. Fernandes of Milford, 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.

Harvard,—
senior
housing.

The House Bill providing an easement for affordable senior apartments in the town of Harvard (House, No. 4850) came from the Senate passed to be engrossed, in concurrence, with an amendment in line 8 inserting after the word "road" (as changed by the committee on Bills in the Third Reading) the words "or to the Harvard Conservation Trust or to both the owners of the land and the Harvard Conservation Trust".

Under suspension of Rule 35, on motion of Ms. Benson of Lunenburg, 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.

Reports of Committees.

Expanded
gaming.

Mr. Dempsey of Haverhill, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2530; and inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish and regulate forthwith gaming in the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience;" of the House Bill establishing expanded gaming in the Commonwealth (House, No. 4619, amended), reported, as follows:

Id.

In part, recommending passage of a bill with the same title (House, No. 5000) (having been reported by the House committee on Bills in the Third Reading to be correctly drawn, the Senate committee on Bills in the Third Reading having reported asking to be discharged from further consideration of the bill).

Id.

On the residue, recommending passage of a bill with the same title (House, No. 5001) (having been reported by the House committee on Bills in the Third Reading to be correctly drawn, the Senate committee

on Bills in the Third Reading having reported asking to be discharged from further consideration of the bill).

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

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling then reported, in each instance, that the matter be scheduled for consideration by the House.

Under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

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

Relative to the continued use of Memorial Park in the town of Rockland (Senate, No. 2474) (on a petition) [Local Approval Received];

Relative to the appointment of retired police officers in the town of Whitman (House, No. 4854) [Local Approval Received]; and

Bill further amending chapter 407 of the acts of 1983 establishing the Mattapoissett River Valley Water Supply protection advisory committee (House, No. 4858).

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.

Rockland,—
Memorial Park.
Whitman,—
retired police.
Mattapoissett
River Valley
Water Supply.

By Mr. Moran of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the results of the special town election held in the town of Wenham on December 17, 2009 (printed in House, No. 4948). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House. Under suspension of the rules, on motion of Mr. Hill of Ipswich, the bill was read a second time forthwith; and it was ordered to a third reading.

Wenham,—
election.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill validating the actions taken at an annual town meeting held in the town of Essex (printed in House, No. 4950). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Essex,—
validate
acts.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill further regulating workers' compensation insurance (Senate, No. 2375, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Workers'
insurance.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Greenfield,—
land.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill authorizing certain changes in the lease of a certain parcel of land in the town of Greenfield (Senate, No. 2481) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Spencer,—
land.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain land in the town of Spencer to the Worcester County 4H Center (Senate, No. 2571) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

West
Boylston,—
land.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant an easement in certain land to the town of West Boylston (House, No. 4958). Read; and referred, under Rule 33, to the committee on Ways and Means.

Subsequently Mr. Murphy of Burlington, for said committee, reported that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Gardner,—
land.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing the city of Gardner to convey certain land under the control of the Gardner conservation commission (printed in House, No. 4949) ought to pass with an amendment in line 14 by striking out the words "said parcel of land" and inserting in place thereof the following "parcel of land described in section 1". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (printed in House, No. 4949, amended) was ordered to a third reading.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a recommitted petition, a Bill relative to the purchase of flags in the Commonwealth (House, No. 1157). Read; and referred, under Rule 33, to the committee on Ways and Means.

Flags,—
purchasing.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Milford to issue an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 4936) [Local Approval Received].

Milford,—
alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Milford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4937) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Milford to issue an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 4938) [Local Approval Received].

Id.

By the same member, for the same committee, on House, No. 4848, a Bill authorizing the town of Bolton to grant a license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (House, No. 4961) [Local Approval Received].

Bolton,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 4895, a Bill authorizing the town of Dracut to grant a license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 4962) [Local Approval Received].

Dracut,—
alcoholic
beverages.

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

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill to sustain community preservation (printed as Senate, No. 90, changed) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Real estate
land banks.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill further regulating animal control (Senate, No. 2172) ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4956.

Animal
control,—
regulating.

By the same member, for the same committee, that the Bill relative to home service contracts (House, No. 987) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4957).

Home
service,—
contracts.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

*Engrossed Bills — Land Takings.*North
Andover.

The engrossed Bill modifying a conservation restriction in the town of North Andover (see House, No. 598) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 478.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 476 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Cambridge,—
easements.

The engrossed Bill authorizing the city of Cambridge to grant a permanent easement to the Commonwealth and over certain strips of land owned by the city of Cambridge (see House, No. 4874) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 477.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 150 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 477 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Sherborn,—
town forest.

The engrossed Bill authorizing the town of Sherborn to use certain town forest land (see House, No. 4585) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 478.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 478 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Cambridge,—
boat ramp.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease a boat ramp in the city of Cambridge (see House, No. 4482, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking)—

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the

taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

yea and nay
No. 479.

[See Yea and Nay No. 479 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the lease of a certain parcel of state-owned land to Plimoth Plantation (see House, No. 4510) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Plimoth
Plantation.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking)—
yea and nay
No. 480.

[See Yea and Nay No. 480 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate further amendments to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4886) of the Senate Bill relative to comprehensive siting reform for land based wind projects (Senate, No. 2260), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Finegold of Andover.

Land based
wind
projects.

After further debate on the question on acceptance of the report of the committee of conference, Mr. Hill of Ipswich asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 147 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 481.

[See Yea and Nay No. 481 in Supplement.]

Therefore a quorum was present.

After debate on the question on acceptance of the report of the committee of conference, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 96 members voted in the affirmative and 57 in the negative.

Conference
committee
report
accepted,—
yea and nay
No. 482.

[See Yea and Nay No. 482 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Emergency Measures.

Tips --
pooling.

The engrossed Bill relative to the pooling of tips (see House, No. 4814, 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 8 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.

Somerville --
housing authority.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Somerville to the Somerville housing authority (see Senate, No. 2286, 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 9 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 put upon its final passage.

Bill enacted
(land taking),
yeas and nays
No. 483.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 483 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Boston --
M.B.T.A.
land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to transfer the control of certain land in the city of Boston to the Massachusetts Bay Transportation Authority (see House, No. 4778), 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 8 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 put upon its final passage.

Bill enacted
(land taking).

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the

taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

yeas and nays
No. 484.

[See Yea and Nay No. 484 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Tewksbury (see House, No. 4822), 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.

Tewksbury --
land.

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.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yeas and nays
No. 485.

[See Yea and Nay No. 485 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the granting of easements upon land of the Commonwealth located in the city of Cambridge (see House, No. 4875), 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.

Cambridge --
easements.

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.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yeas and nays
No. 486.

[See Yea and Nay No. 486 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Salisbury,—
land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land to the town of Salisbury (see House, No. 4929), 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 9 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 put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 487.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 487 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Boston,—
easements.

The engrossed Bill authorizing the city of Boston to grant permanent volumetric easements relative to vertical transportation improvements over certain parcels of land in the city of Boston (see House, No. 4806) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking)—
yea and nay
No. 488.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 488 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Ashfield,—
election.

The engrossed Bill validating action taken at a special town election held in the town of Ashfield (see House bill printed in House, No. 4612) (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.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

The following bills (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were discharged from their position in the Orders of the Day and read a third time forthwith, under

suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester:

Relative to credit union shares and deposits (Senate, No. 468);
Releasing certain land in the town of Brimfield from an agricultural preservation restriction (Senate, No. 2221); and

Authorizing the Commonwealth to convey a certain parcel of land in the town of Dartmouth (Senate, No. 2553) (its title having been changed by the committee on Bills in the Third Reading);

Severally were passed to be engrossed, in concurrence.

Credit unions,
Brimfield,—
land.
Dartmouth,—
land.

The following bills (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were discharged from their position in the Orders of the Day and read a third time forthwith, under suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester:

Bill relative to the taking of striped bass (House, No. 799) (its title having been changed by the committee on Bills in the Third Reading);

Bill designating a portion of Interstate 290 as the Michael Simonelli and Michael Gabriele Overpass (House, No. 3171);

Bill relative to the other post employment benefits trust fund of the town of Belmont (House, No. 4223) (its title having been changed by the committee on Bills in the Third Reading);

Bill further regulating tax titles in the town of East Bridgewater (House, No. 4678);

Bill authorizing the town of Southbridge to match debt repayment for school projects to the retirement of other outstanding debt (House, No. 4695);

Bill authorizing the city of Everett to create an inspectional services department in the city of Everett (House, No. 4697);

Bill authorizing the town of Hingham to designate a check off box on its tax bills (House, No. 4714);

Bill providing health insurance for Richard D. Valcourt (House, No. 4776) (its title having been changed by the committee on Bills in the Third Reading);

Bill authorizing the placement of a certain question on the ballot to be used at the November 2010 biennial state election in the town of Pepperell relative to the sale of alcoholic beverages (House, No. 4846) (its title having been changed by the committee on Bills in the Third Reading);

Bill authorizing the leasing of a certain parcel of land in the town of Grafton to the United States Department of Labor and authorizing the conveyance or lease of certain surplus state-owned properties (House, No. 4892, amended) (its title having been changed by the committee on Bills in the Third Reading);

Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Department of Health and Human Services (House, No. 4921);

Bill establishing a sick leave bank for Christopher Lemoing, an employee of the Plymouth County sheriff's department (House, No. 4925); and

Bill relative to the certification of Hull public library (House, No. 4954); Severally were passed to be engrossed. Severally sent to the Senate for concurrence.

Striped
bass.
I-290
overpass.Belmont,—
trust
fund.East
Bridgewater.Southbridge,—
debt.Everett,—
inspectional
services.Hingham,—
tax bills.Richard D.
Valcourt.Pepperell,—
liquor
question.Grafton,—
land.Cheryl A.
Cole.Christopher
Lemoing.Hull.—
library.

Seafood marketing.

The House Resolve providing for an investigation and study by a special commission relative to seafood marketing (House, No. 4872, amended) (its title and type of legislation having been changed by the committee on Bills in the Third Reading), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester. After debate the resolve was passed to be engrossed. Sent to the Senate for concurrence.

Flea markets.

The Senate Bill relative to flea market vendors (Senate, No. 2282, amended), reported said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester.

Pending the question on passing the bill to be engrossed in concurrence, the same member moved to amend the bill (as previously amended by the House) by striking out section 5 and inserting in place thereof the following section:

"SECTION 5. A vendor operating under an agreement with a licensed promoter, as defined in section 1 of chapter 101 of the General Laws, inserted by section 3, shall not be required to apply and pay a fee for a license authorizing the sale of goods, wares and merchandise within a municipality as required by section 5 of said chapter 101 unless, on the effective date of this act, the municipality requires such a vendor to pay a fee under said section 5 of said chapter 101, or under any other statute, local by-law, regulation or policy, in which case, notwithstanding any general or special law to the contrary, said municipality may continue to charge such fees in accordance with said section 5 of said chapter 101 or pursuant to such other statute, local by-law, regulation and policy."

The amendment was adopted; and the bill (Senate, No. 2282, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House (by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4941, as amended).

Substance abuse.

The House Bill relating to controlled substances and medical treatment (House, No. 1653), was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by substitution of a Resolve providing for an investigation and study by a special commission relative to certain legal protections for persons seeking emergency medical care for a drug overdose (House, No. 4959), which was read.

The amendment was adopted; and the substitute resolve was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill amended.

The House Bill relative to the development of air rights over the Massachusetts Turnpike (House, No. 3364), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester.

Pending the question on passing the bill to be engrossed, Ms. Walz of Boston and other members of the House moved to amend it by striking out sections 1 and 2 and inserting in place thereof the following two sections:

"SECTION 1. Section 46 of chapter 6C of the General Laws is hereby amended by striking out the second paragraph.

SECTION 2. Said section 46 of chapter 6C is hereby further amended by striking out the fourth paragraph, and inserting in place thereof the following paragraph:

"The construction or occupancy of any building or other thing erected or affixed under any lease under this section of air rights shall be subject to the building, fire, garage, health and zoning laws and the building, fire, garage, health and zoning ordinances, by-laws, rules and regulations applicable in the city or town in which such building or other thing is located." The amendment was adopted; and the bill (House, No. 3364, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At ten minutes after six o'clock P.M. on motion of Mr. Jones of North Reading (Mr. Petrolati of Ludlow being in the Chair), the House recessed until the hour of seven o'clock P.M.; and at twenty-five minutes after seven o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Emergency Measure.

The engrossed Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (see Senate, No. 2449, 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.

Water storage facilities.

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 10 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill conveying certain property to the town of Sherborn (see House, No. 4783) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Sherborn, — property conveyance.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc.,

Bill enacted (land taking) — yeas and nays No. 489.

as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 489 in Supplement.] Therefore the bill was passed to be enacted, and it was signed by the acting Speaker and sent to the Senate.

Order.

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

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at thirteen minutes after eight o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on the following day at eleven o'clock A.M.

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JOURNAL OF THE HOUSE.

Saturday, July 31, 2010.

Met according to adjournment, at eleven o'clock A.M., with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, in prayer we turn our attention to You, Our Creator, and seek Your guidance on this, the final day of formal legislative session. You are our light in darkness, our strength in timidity and our courage in discouragement. We pray for the knowledge to see issues clearly and the wisdom to make the right and sound decisions. We are grateful for the blessings which we have received from You and for the opportunities, as elected leaders, of serving the people in our districts and all in the Commonwealth. We are grateful too, for the sharing of good will and the political expertise which exists in our midst as we work together to promote goals and public policy which contribute to the building of peaceful, prosperous, safe and family-friendly communities in which the dignity of each individual is respected. May Your peace and love, which surpasses all understanding, be with us on this and every day.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to extending simulcasting (House, No. 4965) was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, with the accompanying draft of bill to the committee on the Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Guest of the House.

During the Session, the Chair (Mr. Petrolati of Ludlow), declared a brief recess, and introduced Dr. Jorge Bruno. The Director of Culture of the Regional Government of the Azores. He was the guest of Mr. Cabral of New Bedford.

Motions to Discharge Certain Matters in the Orders of the Day.

The following bills (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were discharged from their position in the Orders of the Day and read a third time forthwith, under

suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester.

Newbury,— insurance. Regulating certain insurance benefits for elected officials of the town of Newbury (Senate, No. 2096);

Museum. Relative to the disposition of museum property (Senate, No. 2402);

Rockland,— park. Relative to the continued use of Memorial Park in the town of Rockland (Senate, No. 2474);

Greenfield,— land. Authorizing certain changes in the lease of a certain parcel of land in the town of Greenfield (Senate, No. 2481); and

Spencer,— land. Authorizing the Division of Capital Asset Management and Maintenance to lease certain land in the town of Spencer to the Worcester County 4H Center (Senate, No. 2571);

Severally were passed to be engrossed, in concurrence.

The following bills (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were discharged from their position in the Orders of the Day and read a third time forthwith, under suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester:

Reprecincting. Relative to reprecincting (House, No. 678);

Belmont,— recalls. Relative to the recall of elected officials in the town of Belmont (House, No. 4414) (its title having been changed by the committee on Bills in the Third Reading);

Seekonk,— liquor licenses. Relative to converting four seasonal licenses for the sale of all alcoholic beverages to be drunk on the premises to four annual licenses for the sale of all alcoholic beverages to be drunk on the premises and three seasonal licenses for the sale of wines and malt beverages to be drunk on the premises to three annual licenses for the sale of wines and malt beverages to be drunk on the premises in the town of Seekonk (House, No. 4518) (its title having been changed by the committee on Bills in the Third Reading);

Sudbury,— broadband. Authorizing the town of Sudbury to enter into or to extend wireless facility contracts or leases for periods in excess of twenty years (House, No. 4715);

Westborough,— liquor license. Authorizing the town of Westborough to remove a condition of a full liquor license (House, No. 4735);

Whitman,— retired police. Relative to the appointment of retired police officers in the town of Whitman (House, No. 4854);

Mattapoisett River water supply. Relative to establishing the Mattapoisett River Valley Water Supply protection advisory committee (House, No. 4858) (its title having been changed by the committee on Bills in the Third Reading);

Vital records. Relative to the security of vital records and verification of identity (House, No. 4910);

Wenham,— special election. Validating the acts and proceedings of the special town election in the town of Wenham (printed in House, No. 4948) (its title having been changed by the committee on Bills in the Third Reading);

Gardner,— land. Authorizing the city of Gardner to convey certain land under the control of the Gardner Conservation Commission (printed in House, No. 4949);

Essex,— town meeting. Validating the acts and proceedings taken at an annual town meeting held in the town of Essex (printed in House, No. 4950) (its title having been changed by the committee on Bills in the Third Reading);

Relative to abandoned vessels (House, No. 4953); and

Authorizing the Commissioner of Capital Asset Management and Maintenance to grant an easement in certain land to the town of West Boylston (House, No. 4958);

Severally were passed to be engrossed. Severally sent to the Senate for concurrence.

Vessels.
West
Boylston.

The House Bill to establish a board of certification of community health workers (House, No. 4130) was discharged from its position in the Orders of the Day and read a second time forthwith, under suspension of the Rule 47, on motion of Mr. Pedone of Worcester.

Community
health
workers.

The amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 4692),— was adopted; and the substituted bill was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, its title having been changed by said committee to read: "An Act establishing a board of certification of community health workers."

Pending the question on passing the bill to be engrossed, Mr. Pedone moved to amend it in section 2, in lines 109 and 110, by striking out the paragraph in those lines and inserting in place thereof the following paragraph:

"(o) to develop rules and regulations for the mandatory licensure of community health workers after 5 years of the board's inception."

The amendment was adopted; and the bill, as amended, was passed to be engrossed. Mr. Sánchez of Boston moved that this vote be reconsidered; and the motion to reconsider was negative. The bill (House, No. 4692, amended) then was sent to the Senate for concurrence.

The Senate Bill authorizing the warrantless arrest for reckless or negligent operation of a motor vehicle that causes serious bodily injury or death (Senate, No. 2472) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of the Rule 47, on motion of Mr. Pedone of Worcester.

Reckless
vehicle
operation.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. O'Flaherty of Chelsea moved to amend it by striking out section 2 and inserting in place thereof the following section:

"SECTION 2. Section 21 of Chapter 90 of the General laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'person', in line 34, the following words:— , or whoever operates a motor vehicle recklessly or negligently so that the lives or safety of the public might be endangered in violation of paragraph (a) of subdivision (2) of section 24 and by such operation causes another person serious bodily injury as defined in section 24L, or whoever commits motor vehicle homicide in violation of subsection (a) or (b) of section 24G."

The amendment was adopted; and the bill, as amended, was passed to be engrossed, in concurrence. The bill (Senate, No. 2472, amended) then was sent to the Senate for concurrence in the amendment.

*Papers from the Senate.*Real estate
brokers and
salesmen.

The engrossed Bill relative to the requirements for licensing as a real estate broker or salesman (see Senate, No. 121, amended) came from the Senate with the endorsement that it had adopted the following amendments:

Inserting before section 1 the following section:

"SECTION A. Section 87RR of chapter 112 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'contractor', in line 17, the following words:— and may, by agreement, be paid as an outside salesperson on a commission-only basis."; and

Striking out section 2 and inserting in place thereof the following section:

"SECTION 2. Section 1 shall take effect on June 1, 2011."

Under suspension of Rule 35, on motion of Mr. Pedone of Worcester, the amendments were considered forthwith.

The committee on Bills in the Third Reading reported recommending that the House concur with the Senate in its amendments with a further amendment by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Section 87RR of chapter 112 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'contractor', in line 17, the following words:— and may, by agreement, be paid as an outside salesperson on a commission-only basis.

SECTION 2. Section 87SS of said chapter 112, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Every individual applicant for a license as a salesman who is required to take an examination therefor shall, as a prerequisite to taking such examination, submit proof satisfactory to the board that he has completed courses in real estate subjects approved by the board, such courses to total 40 classroom hours of instruction; provided, however, that applicants having successfully completed a course in real property while enrolled in an accredited law school in the commonwealth may also take such examination. Every individual applicant for a license as a broker who is required to take an examination therefor shall, as a prerequisite to taking such examination, submit proof satisfactory to the board that he has been actively associated with a real estate broker for a period of 3 years as a real estate salesman and that he has completed additional courses in real estate subjects approved by the board, such courses to total 40 classroom hours of instruction.

SECTION 3. Section 2 of this act shall take effect on June 1, 2011."

The report was accepted, and the further amendment was adopted.

The House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

Athol.—
land.

The Senate Bill authorizing the Department of Fish and Game to acquire land of the town of Athol and to acquire a conservation restriction on lands of the town of Athol in exchanges for grants of easements to the town of Athol (Senate, No. 2451) came from the Senate with the

endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4756) with a further amendment striking out all after the enacting clause (inserted by amendment by the House) and inserting in place thereof the text contained in Senate document numbered 2555.

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, the further amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith, and it was adopted, in concurrence.

The House Bill designating a certain road in the town of Uxbridge as the Benny Emerick's Road to Boston (House, No. 3182) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

"A portion of route 16 in the town of Uxbridge, beginning at the intersection of West River road and ending at the Mendon town line, shall be designated and known as the Sergeant Benjamin P. 'Benny' Emerick's 'Road to Boston.' The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing that designation in compliance with the standards of the department and any existing historic preservation guidelines or statutes."

Under suspension of Rule 35, on motion of Ms. Callahan of Sutton, 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.

The House Bill providing for development and operation of a new Parker's River Marina in the town of Yarmouth (House, No. 4321, amended) (its title having been changed by the Senate committee on Bills in the Third Reading) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 8, inserting after the word "town" (as changed by the Senate committee on Bills in the Third Reading) the words "for public use".

Under suspension of Rule 35, on motion of Mr. Turner of Dennis, 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.

The House Bill to create a silver alert community response system (House, No. 4916) came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in line 17, after the word "created", and also in line 25, after the word "shall" (the first time it appears), inserting, in each instance, the words "subject to available funds,"; and in section 2, in line 36, striking out the word "annual", and in line 41, striking out the words "shall consider coordinating" and inserting in place thereof the words "may coordinate".

Under suspension of Rule 35, on motion of Ms. Reinstein of Revere, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith, and they were adopted, in concurrence.

Uxbridge.—
Benny
Emerick's
'Road to
Boston'.Yarmouth.—
Parker's River
Marina.Elderly.—
silver alert
system.

Carver,—
sheds and
outbuildings.

The Senate Bill authorizing property tax exemption for certain small sheds and outbuildings in the town of Carver (Senate, No. 2255) (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.

Children,—
communication
opportunities.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill to improve augmentative and alternative communication opportunities for children (Senate, No. 2579) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, 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 Ms. L'Italien of Andover, the bill (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, its title having been changed by said committee to read: "An Act relative to augmentative and alternative communication opportunities for children."

Cape Cod,—
electricity.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill relative to electricity reliability on Cape Cod (Senate, No. 2109) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Medical
Mutual
Insurance
Company.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill relating to the Medical Professional Mutual Insurance Company (Senate, No. 2385) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Debt
collection.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill further regulating debt collection (Senate, No. 2557) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, reported recommending that the Senate Bill clarify recording requirements at the registries of deeds (Senate, No. 2549) be scheduled for consideration by the House.

Registries
of deeds,—
records.

Under suspension of Rule 7A, on motion of the same member, 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. Pedone of Worcester, the bill (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 relative to recording requirements at registries of deeds." Sent to the Senate for concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill relative to civil service, retirement, and pensions (House, No. 4505) ought to pass with an amendment substituting therefor a Bill relative to civil service, retirement and pensions (House, No. 4964). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Civil service
and
retirement.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, 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.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill abolishing the board of public works in the town of Hopkinton (House, No. 4882) be scheduled for consideration by the House.

Hopkinton,—
public
works.

Under suspension of Rule 7A, on motion of the same member, 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. Pedone of Worcester, the bill (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.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill to sustain community preservation (printed as Senate, No. 90) be scheduled for consideration by the House.

Real estate
closing
tax.

Under suspension of Rule 7A, 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 House Bill regarding fisherman's wharf in the town of Provincetown (House, No. 800) be scheduled for consideration by the House.

Provincetown,—
fisherman's
wharf.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Steam
boilers,—
operation.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill increasing the experience and background necessary to operate low pressure processed steam boilers (House, No. 4558) 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. 4952),— pending.

Under suspension of Rule 7A, on motion of the same member, 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.

Real estate
appraisal
companies.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, No. 4751, a Bill to regulate real estate appraisal management companies (House, No. 4966). Read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measures.

Greenfield,—
land.

The engrossed Bill authorizing certain changes in the lease of a certain parcel of land in the town of Greenfield (see Senate, No. 2481), 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 20 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 Senate to the Senate.

Dartmouth,—
land.

The engrossed Bill authorizing the Commonwealth to convey a certain parcel of land in the town of Dartmouth (see Senate, No. 2553), 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 17 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 Senate to the Senate.

Heritage
areas.

The engrossed Bill relative to national heritage areas (see House, No. 4492, 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 14 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 Senate to the Senate.

Engrossed Bills and Resolves.

The engrossed Bill authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (see Senate, No. 2449, amended) (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.

Engrossed bills
Relative to limiting certain types of dual alcohol licensure (see Senate, No. 169, amended);

Relative to credit union shares and deposits (see Senate, No. 468);
Relative to the disposition of museum property (see Senate, No. 2402);

Authorizing the warrantless arrest for reckless or negligent operation of a motor vehicle that causes serious bodily injury or death (see Senate, No. 2472, amended);

Relative to recording requirements at registries of deeds (see Senate, No. 2549);

Relative to augmentative and alternative communication opportunities for children (see Senate, No. 2579);
(Which severally originated in the Senate);

Further regulating nonrenewal notices relative to motor vehicle liability insurance and fire insurance (see House, No. 959);

Relative to the licensure of certain health plans (see House, No. 971);

Relative to discharge of certain mortgages (see House, No. 996);
Establishing the center pond restoration and protection district in the town of Becket (see House, No. 3701, amended);

Relative to the maximum storage charges on motor vehicles involuntarily towed (see House, No. 4171);

Relative to inhalant abuse (see, House, No. 4254);

Relative to pension divestment from certain companies that invest in the Republic of Iran (see House, No. 4297, amended);

Prohibiting the use of novelty lighters (see House, No. 4369, amended);

Authorizing the town of Southbridge to match debt repayment for school projects to the retirement of other outstanding debt (see House, No. 4695);

Authorizing the city known as the town of Amesbury to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4818, amended);

Directing the State Secretary to place the office of selectmen on the state election ballot in the town of Mendon (see House, No. 4849, amended);

Bills
enacted.

Adding safeguards to the prescription monitoring program and furthering substance abuse education and prevention (see House, No. 4879);

To create a silver alert community response system (see House, No. 4916, amended);

Eliminating the word "retardation" from the General Laws (see House, No. 4922);

(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 it were signed by the acting Speaker and sent to the Senate.

Resolve
passed.

The engrossed Resolve providing for an investigation and study by a special commission relative to seafood marketing (see House, No. 4872, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

Expanded
gaming.

There being no objection,— A report (in part) of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill establishing expanded gaming in the Commonwealth (House, No. 4619, amended), recommending passage of a bill with the same title (House, No. 5000), was considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The report of the Senate committee on Bills in the Third Reading, asking to be discharged from further consideration of the bill, was accepted.

After debate on the question on acceptance of the report of the committee of conference, the sense of the House was taken by yeas and nays, at the request of Mr. Sciortino of Medford; and on the roll call 117 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 490 in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Conference
committee
report
accepted,—
yea and nay
No. 490.Expanded
gaming.

A report (on the residue) of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill establishing expanded gaming in the Commonwealth (House, No. 4619, amended), recommending passage of a bill with the same title (House, No. 5001), was considered forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester.

The report of the Senate committee on Bills in the Third Reading, asking to be discharged from further consideration of the bill, was accepted.

The report of the committee of conference then was accepted. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Brewster to use certain town-owned land for general town purposes, including renewable energy projects (see House, No. 4450, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 491 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill providing an easement for affordable senior apartments in the town of Harvard (see House, No. 4850, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 492 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter
in the Orders of the Day.*

The Senate Bill further regulating workers' compensation insurance (Senate, No. 2375, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Mr. Pedone of Worcester.

After remarks on the question on passing the bill to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Walsh of Boston; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 493 in Supplement.]

Therefore the bill was passed to be engrossed, in concurrence.

Emergency Measure.

The engrossed Bill releasing certain land in the town of Brimfield from an agricultural preservation restriction (see Senate, No. 2221), 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.

Brewster,—
land.Bill enacted
(land taking)—
yea and nay
No. 491.Harvard,—
easement.Bill enacted
(land taking)—
yea and nay
No. 492.Workers'
compensation
insurance.Bill passed to
be engrossed,—
yea and nay
No. 493.Brimfield,—
land.

Brimfield,—
land.

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 15 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 put upon its final passage.

Bill enacted
(land taking),
yeas and nays
No. 494.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 146 members voted in the affirmative and 7 in the negative.

[See Yea and Nay No. 494 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill further regulating workers' compensation insurance (see Senate, No. 2375, amended) (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 it was signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

Economic
development
reorganization.

A report (in part) of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4863) of the Senate Bill relative to economic development reorganization (Senate, No. 2380); recommending passage of a bill with the same title (Senate, No. 2582), came from the Senate with the endorsement that it had been accepted by said branch. Under suspension of the rules, on motion of Mr. Bradley of Hingham, the report was considered forthwith.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 151 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 495 in Supplement.]

[Mr. Guyer of Dalton answered "Present" in response to his name.] Therefore the report of the committee of conference was accepted, in concurrence.

Engrossed Bills — Land Takings.

Gardner,—
land.

The engrossed Bill authorizing the city Gardner to convey certain land under the control of the Gardner conservation commission (see House bill printed in House, No. 4949) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted
(land taking),—

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the

taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

yeas and nays
No. 496.

[See Yea and Nay No. 496 in Supplement.]

Therefore the bill 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.

The engrossed Bill authorizing the leasing of a certain parcel of land owned by the Department of Conservation and Recreation in the town of Hingham (see House, No. 4823, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Hingham,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yeas and nays
No. 497.

[See Yea and Nay No. 497 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain land in the town of Spencer to the Worcester County 4H Center (see Senate, No. 2571) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Spencer,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),
yeas and nays
No. 498.

[See Yea and Nay No. 498 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Motions to Discharge Certain Matters
in the Orders of the Day.*

The engrossed Bill directing the University of Massachusetts and Commonwealth community colleges to establish a tuition retention program and ensure adequate access for qualified Massachusetts students (see House, No. 4835) [being a printed copy of Section 129 contained in the engrossed Bill making appropriations for the fiscal year 2011 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment H of House, No. 4840)], was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Murphy of Burlington.

Tuition
retention
program.

Tuition retention program.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in Attachment H of House, No. 4840 (as perfected by the committee); and the report was accepted.

The amendment recommended by the Governor then was rejected.

Mr. Murphy of Burlington then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Chapter 131 of the acts of 2010 is hereby amended by striking out sections 108 to 110, inclusive.

SECTION 2. Said chapter 131, as so appearing, is hereby further amended by striking out section 199."; and by striking out the title and inserting in place thereof the following title "An Act relative to tuition retention at the University of Massachusetts at Amherst."

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 148 members voted in the affirmative and 6 in the negative.

[See Yea and Nay No. 499 in Supplement.]

Therefore the amendments were adopted. Sent to the Senate for its action.

Amendments adopted.—
yea and nay
No. 499.

Norwood,—
Walnut Lodge
property.

The engrossed Bill releasing a restriction on a parcel in the town of Norwood (see House, No. 4836) [being a printed copy of Section 130 contained in the engrossed Bill making appropriations for the fiscal year 2011 (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment I of House, No. 4840)], was considered forthwith, under suspension of Rule 47, on motion of Mr. Murphy of Burlington.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the form contained in said attachment I of House, No. 4840 (as perfected by the committee); and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Papers from the Senate.

Health insurance.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4924) of the Senate Bill to promote cost containment, transparency and efficiency in the provision of quality health insurance for individuals and small businesses (Senate, No. 2447), recommending passage of a bill with the same title (Senate, No. 2585), came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, the report was considered forthwith.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the

Conference committee report accepted.—

request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 500 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

yea and nay
No. 500.

At a quarter before seven o'clock P.M., on motion of Mr. Flynn of Bridgewater (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before eight o'clock; and at seven minutes after eight o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

The House Bill relating to the standard insurance policy (House, No. 960) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in line 5, inserting after the word "terrorism" the following "; provided, however, that an 'act of terrorism' shall mean activities against persons, organizations or property of any nature, the effect of which is either (i) intimidate or coerce a government or the civilian population or any segment thereof, or to disrupt any segment of the economy; or (ii) further political, ideological, religious, social or economic objectives or to express, or to express opposition to, a philosophy or ideology; provided further, that the act of terrorism shall involve the following or preparation of the following: (1) use or threat of force or violence; (2) commission or threat of a dangerous act; or (3) commission or threat of an act that interferes with or disrupts an electronic, communication, information or mechanical system".

Standard insurance policy.

Under suspension of Rule 35, on motion of Mr. Mariano of Quincy, 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.

The House Bill relative to manslaughter (House, No. 1614) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2587.

Manslaughter.

Under suspension of Rule 35, on motion of Mr. Pedone of Worcester, the amendment was considered forthwith.

The committee on Bills in the Third Reading reported recommending that the House concur with the Senate in its amendment with a further amendment in section 1, in subsection (b), in lines 11 to 14, inclusive, by striking out the sentence in those lines; and the report was accepted. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

The House Bill promoting fairness in private construction contracts (House, No. 4721) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting

Private construction contracts.

clause and inserting in place thereof the text contained in Senate document numbered 2577.

Under suspension of Rule 35, on motion of Mr. Flynn of Bridgewater, 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.

Recess.

Recess. At twenty-four minutes after eight o'clock P.M., on motion of Mr. Pedone of Worcester (Mr. Donato of Medford being in the Chair), the House recessed until twenty minutes before nine o'clock; and at that time the House was called to order with Mr. Donato in the Chair.

Suspension of Rule 1A.

Suspension of Rule 1A.

Mr. Petrolati of Ludlow then took the Chair and placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Rule 1A suspended,—yea and nay No. 501.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 131 members voted in the affirmative and 19 in the negative.

[See Yea and Nay No. 501 in Supplement.]

Therefore Rule 1A was suspended.

Papers from the Senate.

Funeral processions.

The engrossed Bill further regulating funeral processions (see Senate, No. 1884, amended), which had been returned to the Senate by His Honor the Lieutenant-Governor, Acting Governor, with recommendation of amendments (for message, see Senate, No. 2568), came from said branch with the endorsement that it had adopted said amendments, as follows:

In proposed section 14A of Chapter 85 of the General Laws:

In subsection (b), in paragraph (1) striking out the second and third sentences contained therein and inserting in place thereof the following sentence "A vehicle in a funeral procession may follow the preceding vehicle in the funeral procession as closely as is practicable and safe.";

In subsection (c), in paragraph (3), striking out the last sentence; and

In subsection (d) striking out paragraph (5) and inserting in place thereof the following paragraph:

(5) a vehicle owned by a funeral home establishment or a licensed or registered certified funeral director, and operated by a funeral director, an employee or an independent contractor of a funeral home may have mounted thereon flashing, rotating or oscillating lights as may be assigned by the registrar of motor vehicles. Such lights shall only be displayed when such owner or operator is proceeding in a funeral procession and at no other time."

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

The House Bill designating the city of Salem as the birthplace of the National Guard (House, No. 21145, changed) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 (as changed by the House committee on Bills in the Third Reading).

Salem,—National Guard.

Under suspension of Rule 35, on motion of Mr. Keenan of Salem, 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.

The House Bill designating a certain bike path in the town of Millbury as the honorable Richard Dwinell memorial Blackstone Valley bike path (House, No. 3218) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

Millbury,—Dwinell bike path.

"The access area servicing the portion of the Blackstone Valley bike path in the town of Millbury, located at North Main street shall be designated and known as the Honorable Richard J. Dwinell Memorial Blackstone Valley Bike Path Access Area, in honor of former state representative Richard J. Dwinell's public service to both the commonwealth and the town of Millbury. The Massachusetts Department of Transportation shall erect and maintain suitable markers bearing the designation in compliance with the standards of the department."

Under suspension of Rule 35, on motion of Mr. Frost of Auburn, 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.

The House Bill relative to postpartum depression (House, No. 4859) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out sections 1 and 2 and inserting in place thereof the following section:

Postpartum depression.

"SECTION 1. The department of public health may consult with health care providers, including, but not limited to, obstetricians, gynecologists, pediatricians and primary care providers, non-profits and health insurance carriers regarding postpartum depression to develop a culture of awareness, de-stigmatization and screening for perinatal depression so that residents of the commonwealth may be assured of the most effective and affordable provision of public health services possible. The department shall develop standards for measuring effective screening for post partum depression using recognized clinical standards and best practices and shall make recommendations for health plan and health care provider data reporting. The department shall issue regulations that require providers and carriers to annually submit data on screening for postpartum depression. Following the receipt of the data, the commissioner of public health shall issue an annual summary of the activities related to screening for postpartum depression, including best practices and effective screening tools. The department shall annually file the summary with the commissioner of public health and the clerks of the house of representatives and the senate not later than June 30; provided, however, that the first report is due not later than June 30, 2011."

Under suspension of Rule 35, on motion of Ms. Story of Amherst, 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.

Street rods
and custom
vehicles.

The House Bill relative to the registration and inspection of street rods and custom vehicles (House, No. 4871) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2584.

Under suspension of Rule 35, on motion of Mr. Wagner of Chicopee, 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.

Family
child care
providers.

The House Bill relative to early education and care by family child care providers (House, No. 4917) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 5 and inserting in place the following section:

"SECTION 5. (l) Clause (h) of section 17 of chapter 15D of the General Laws, as appearing in section 2, shall take effect on July 1, 2012."

Under suspension of Rule 35, on motion of Ms. Khan of Newton, 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.

Simulcasting,—
extend.

The Senate Bill extending simulcasting (Senate, No. 2588) (reported from the Senate committee on Ways and Means, under Senate Rule 19), passed to be engrossed by the Senate, was read.

Under suspension of the rules, on motion of Mr. Murphy of Burlington, 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. Pedone of Worcester, the bill (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.

Reports of Committees.

Home service
contracts.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to home service contracts (House, No. 987) 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. 4957),— pending.

Under suspension of Rule 7A, on motion of the same member, 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.

DCF
employees,—
retirement.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House Bill relative to the retirement benefits of cer-

tain employees of DCF (House, No. 2550) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4967). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, reported recommending that the matter be scheduled for consideration by the House.

Under suspension of said rule, on motion of the same member, 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.

Emergency Measures.

The engrossed Bill to promote cost containment, transparency and efficiency in the provision of quality health insurance for individuals and small businesses (see Senate, No. 2585), 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 60 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.

Health
insurance.

Bill
enacted.

The engrossed Bill relative to the development of air rights over the Massachusetts Turnpike (House, No. 3364, 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 20 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.

Turnpike,—
air rights.

Bill
enacted.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain buildings and park land in the town of Hull for development purposes (see House, No. 4932), 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 26 to 0. Sent to the Senate for concurrence.

Hull,—
land and
buildings.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 502.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 502 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Grafton,—
land and
surplus
properties.

The engrossed Bill authorizing the lease of a certain parcel of land in the town of Grafton to the United States Department of Labor and authorizing the conveyance or lease of certain surplus state-owned properties (see House, No. 4892, 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 22 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 put upon its final passage.

Bill enacted
(land taking),—
yea and nay
No. 503.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 503 in Supplement.]

Therefore the bill 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.

Paper from the Senate.

The Speaker being in the Chair,—

Criminal
offender
record
information.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4712; and striking out the title and inserting in place thereof a new title) to the Senate Bill reforming the administrative procedures relative to criminal offender record information and pre- and post-trial supervised release (Senate, No. 2220) recommending passage of a bill with the same title (Senate, No. 2583), came from the Senate with the endorsement that it had been accepted by said branch. Under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, the report was considered forthwith.

Conference
committee
report
accepted,—

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the

request of the same member; and on the roll call (Mr. Donato of Medford being in the Chair) 131 members voted in the affirmative and 22 in the negative.

yea and nay
No. 504.

[See Yea and Nay No. 504 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Engrossed Bills — Land Takings.

The engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant an easement in certain land to the town of West Boylston (see House, No. 4958) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

West
Boylston,—
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 505.

[See Yea and Nay No. 505 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill providing for development and operation of a new Parker's River Marina in the town of Yarmouth (see House, No. 4321, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Yarmouth,—
Parker's River
Marina.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 506.

[See Yea and Nay No. 506 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the continued use of Memorial Park in the town of Rockland (see Senate, No. 2474) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Rockland,—
Memorial
Park.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 507.

[See Yea and Nay No. 507 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Emergency Measures.

Economic development reorganization.

The engrossed Bill relative to economic development reorganization (see Senate, No. 2582), 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 24 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), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (state loan),—yea and nay No. 508.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 508 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Athol,—land.

The engrossed Bill authorizing the Department of Fish and Game to acquire land of the town of Athol and to acquire a conservation restriction on lands of the town of Athol in exchange for grants of easements to the town of Athol (see Senate, No. 2451, 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 50 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 put upon its final passage.

Bill enacted (land taking),—yea and nay No. 509.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 509 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Rockland,—Memorial Park.

The engrossed Bill establishing expanded gaming in the Commonwealth (see House, No. 5000) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays at the request of Mr. Dempsey of Haverhill; and on the roll call 115 members voted in the affirmative and 36 in the negative.

Bill enacted,—yea and nay No. 510.

[See Yea and Nay No. 510 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Regulating certain insurance benefits for elected officials of the town of Newbury (see Senate, No. 2096);

Bills enacted.

Reforming the administrative procedures relative to criminal offender record information and pre- and post-trial supervised release (see Senate, No. 2583);

(Which severally originated in the Senate);
Relating to the standard insurance policy (see House, No. 960, amended);

Relative to manslaughter (see House, No. 1614, amended);
Designating a certain road in the town of Uxbridge as the Benny Emerick's Road to Boston (see House, No. 3182, amended); and

Promoting fairness in private construction contracts (see House, No. 4721, amended);
(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.

The engrossed Bill establishing expanded gaming in the Commonwealth (see House, No. 5001) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage. After debate the bill was passed to be enacted, and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Emergency Measures.

The engrossed Bill extending simulcasting (see Senate, No. 2588), 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.

Simulcasting,—extend.

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 43 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 Senate to the Senate.

Bill enacted.

The engrossed Bill directing the University of Massachusetts and Commonwealth community colleges to establish a tuition retention program and ensure adequate access for qualified Massachusetts students (see House, No. 4835, amended), having been certified by the

Colleges,—tuition retention program.

Colleges.—
tuition
retention
program.

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 21 to 0. Sent to the Senate for concurrence.

Norwood.—
land.

The engrossed Bill releasing a restriction on a parcel in the town of Norwood (see House, No. 4836, 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 23 to 0. Sent to the Senate for concurrence.

Family
child care
providers.

The engrossed Bill relative to early education and care by family child care providers (see House, No. 4917, 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 28 to 0. Sent to the Senate for concurrence.

Land based
wind
projects.

The engrossed Bill relative to comprehensive siting reform for land based wind projects (see House, No. 4955) (which originated in the Senate), 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 49 to 2. 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 put upon its final passage.
Pending the question on passing the bill to be enacted, Mr. Finegold of Andover moved the previous question.

Motion for
previous
question
prevailed.—
yea and nay
No. 511.

On the question "Shall the main question be now put?", the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 101 members voted in the affirmative and 49 in the negative.

[See Yea and Nay No. 511 in Supplement.]

Therefore the main question was ordered (more than two-thirds of the members present having voted in the affirmative).

Bill enacted.—
yea and nay
No. 512.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 96 members voted in the affirmative and 51 in the negative.

[See Yea and Nay No. 512 in Supplement.]

Therefore the bill was passed to be enacted. Mr. Guyer of Dalton then moved that this vote be reconsidered.
On the motion to reconsider, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 40 members voted in the affirmative and 110 in the negative.
[See Yea and Nay No. 513 in Supplement.]
Therefore the motion to reconsider was negative; and the bill was signed by the acting Speaker and sent to the Senate.

Motion to
reconsider
negative.—
yea and nay
No. 513.

Orders.

An Order (filed this day by Mr. Flynn of Bridgewater) relative to the John Fitzgerald Kennedy Statue on the grounds of the Massachusetts State House (House, No. 4968), was referred, under Rule 85, to the committee on Rules.
Mr. Binienda of Worcester, for said committee, then reported recommending that the order ought to be adopted.
Under suspension of the rules, on motion of Mr. Flynn, the order was considered forthwith; and it was adopted.

John
Fitzgerald
Kennedy
statue.

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

Next
sitting.

Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at two minutes after twelve o'clock midnight (Sunday, August 1), there being no objection, on motion of Mr. Murphy of Burlington (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet on the following Wednesday at eleven o'clock A.M., in an Informal Session.