

JOURNAL OF THE HOUSE.

Thursday, February 4, 2010.

Met according to adjournment, at eleven o'clock A.M., 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, in Whom we place our trust and hope, we begin this formal legislative session with our hearts and minds focused on You. We believe that we live each moment of the day in Your presence and Your assistance and guidance are always available to us. As we carry out our daily routine and responsibilities, inspire us to make right and reasoned decisions and choices so that we do our part in building a stable, peaceful and ethical society in which the dignity of each individual is recognized and respected. In these uncertain times, free us from all forms of prejudice and anger so that we are able to dialogue with others on all issues in a patient, intelligent, civil and fair-minded manner. May the common good remain a common goal and concern for all of us who are interested in the future of the Commonwealth.

Grant Your blessings to 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.

Message from the Governor.

Lynnfield,—validate acts. A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the actions taken at the May 18, 2009, special town meeting held by the town of Lynnfield (House, No. 4474), was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, to the committee on Election Laws. Sent to the Senate for concurrence.

Statement of Representative Pedone of Worcester.

A statement of Mr. Pedone of Worcester was spread upon the records of the House, as follows:

Statement of Mr. Pedone of Worcester. MR. SPEAKER: I would like to call to the attention of the House the fact that I am unable to be present in the House Chamber for the remainder of today's sitting due to a previously scheduled event that I must attend. If I could be present for the taking of the yeas and nays on the question on passing to be engrossed the Bill relative to safe driving, and the Bill relative to unemployment insurance, I would vote in the affirmative, in each instance. My missing of roll calls for the remainder of today's sitting will be due entirely to the reason stated.

Statement of Representative Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

Statement of Mr. Rogers of Norwood. MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of today's sitting due to official business in another part of the State House. Had I been present for the taking of yeas and nays numbers 288 and 289, I would have voted, in each instance, in the affirmative. My missing of roll calls today was due entirely to the reason stated.

Order.

House Rules,—consolidated amendments. An Order (filed by Mr. Jones of North Reading and Speaker DeLeo of Winthrop) relative to amending the Rules of the House concerning the availability of consolidated amendments proposed by the committee on Ways and Means (House, No. 4472) was referred, under Rule 24, 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. Jones, the order was considered forthwith; and it was adopted.

Guests of the House.

Whittier Regional Vocational Technical High School. During the session, Mr. Costello of Newburyport took the Chair and introduced the Whittier Regional Vocational Technical High School football team and cheerleaders and acknowledged their achievements of completing the team's first undefeated season as well as becoming the Eastern Massachusetts Division 4 Superbowl Champions. Accompanying the team was the Assistant Principal Chris Laganas, Athletic Director/Varsity Football Coach Kevin Bradley as well as other coaches. They were the guests of Representatives Costello, Dempsey of Haverhill, Stanley of West Newbury, L'Italien of Andover and Hill of Ipswich.

Resolutions.

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

Melrose,—St. Mary School. Resolutions (filed by Ms. Clark of Melrose) congratulating Saint Mary of the Annunciation School in Melrose on its one hundredth anniversary;

James E. Gonsorcik. Resolutions (filed by Mr. Kujawski of Webster) congratulating James E. Gonsorcik on receiving the Eagle Award of the Boy Scouts of America;

Ida Ruth Flynn. Resolutions (filed by Mr. Swan of Springfield) celebrating the life of Ida Ruth Flynn's noteworthy contributions to the city of Springfield; and

Cape Cod and Islands,—Boy Scouts. Resolutions (filed by Mr. Turner of Dennis and other members of the House) congratulating the Cape Cod and Islands Council, Inc., Boy Scouts of America, on the one hundredth anniversary of the Boy Scouts of America;

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

Petitions.

Petitions severally were presented and referred as follows:

Lunenburg,—
sewer
service.

By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 4467) of Jennifer Benson and Jennifer L. Flanagan (by vote of the town) relative to the sewer service area for the town of Lunenburg.

Sharon,—
land.

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 4468) of Louis L. Kafka, James E. Timilty and Brian A. Joyce (by vote of the town) that the town of Sharon be authorized to exchange certain land with the Massapoag Sportsmen's Club.

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

Stoughton,—
Gross
intersection.

Mr. Kafka of Stoughton presented a petition (subject to Joint Rule 12) of Louis L. Kafka and William C. Galvin relative to designating a certain intersection in the town of Stoughton as the Police Chief William F. Gross and Ann M. Gross intersection; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kafka, the report was considered forthwith. Joint Rule 12 then was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Lottery,—
snow and
ice.

By Mr. Binienda of Worcester, petition (subject to Joint Rule 12) of John J. Binienda, John P. Fresolo and others for legislation to authorize the State Lottery Commission to establish a fund from the sale of a certain Lottery ticket to assist cities and towns for snow and ice removal;

Financial
literacy
pilot
program.

By Mr. Driscoll of Braintree, petition (subject to Joint Rule 12) of Joseph R. Driscoll, Jr., Viriato Manuel deMacedo and others for legislation to establish a financial literacy pilot program within the Department of Education for certain high school seniors;

Canine
officers.

By Mr. Falzone of Saugus (by request), petition (subject to Joint Rule 12) of Joseph Capistran that police officers employed as canine officers shall not be subject to by-laws or ordinances of cities and towns regulating the keeping of dogs;

"Sales price",
etc.—
sales tax.

By Mr. Galvin of Canton (by request), petition (subject to Joint Rule 12) of Steven Drobnis, relative to the definition of "sales price" and returns to purchasers by vendors under the sales and use tax law;

Mayors,—
General Court
membership.

By Mr. Golden of Lowell, a petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., David M. Nangle and others that chief execu-

utive officers of cities and towns be prohibited from serving as a Senator or Representative in the General Court.

By Mr. Kocot of Northampton, a petition (subject to Joint Rule 12) of Peter V. Kocot for legislation to exempt the payment of excise taxes on the sale of motor vehicles under the "Lemon Law", so-called; and Severally referred, under Rule 24, to the committee on Rules.

Lemon law,—
excise
taxes.

Paper from the Senate.

The House Bill relative to the Wareham Fire District (House, No. 1976) 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 2239.

Wareham
Fire
District.

Under suspension of Rule 35, on motion of Ms. Gifford of Wareham, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn, as changed) was considered forthwith; and it was adopted, in concurrence.

A petition of Jennifer Benson relative to establishing a public health Lyme disease research institute at the University of Massachusetts Medical School, came from the Senate with the endorsement that said branch had insisted on its reference to the committee on Higher Education. On motion of Mr. Sánchez of Boston, the House then receded from its non-concurrence with the Senate; and the petition (accompanied by bill, House, No. 4471) was referred, in concurrence to the committee on Higher Education.

Lyme disease
research
institute.

The Senate Bill relative to certain affordable housing in the city of Boston (Senate, No. 2237) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Boston,—
affordable
housing.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules, that Joint Rule 7B be suspended on the petition of David L. Flynn and Marc R. Pacheco (by vote of the town) for legislation to establish a development revolving fund in the town of Raynham. Under suspension of the rules, on motion of Mr. Flynn of Bridgewater, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Raynham,—
revolving
fund.

By Mr. Binienda of Worcester, for the committee on Rules, that Joint Rules 12 and 9 be suspended on the petition of Robert P. Spellane relative to the investment powers of the Massachusetts Credit Union Share Insurance Corporation. Under suspension of the rules, on motion of Mr. Spellane of Worcester, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the petition (accompanied by bill) was referred to the committee on Financial Services. Sent to the Senate for concurrence.

Credit Union
Share
Insurance
Corporation.

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:

Sentencing,—
guilty except
insane.

Petition (accompanied by bill) of Lewis G. Evangelidis, Jennifer L. Flanagan and others for legislation to further regulate the sentencing of persons found “guilty except insane” of murder in the courts of the Commonwealth. To the committee on the Judiciary.

Cambridge,—
land.

Petition (accompanied by bill) of Timothy J. Toomey, Jr., Anthony W. Petrucci and others relative to authorizing the Department of Conservation and Recreation to enter into an agreement with the city of Cambridge. To the committee on Environment, Natural Resources and Agriculture.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Seniors,—
safety
zones.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill authorizing the establishment of senior citizens safety zones (House, No. 543), and recommending that the same be referred to the committee on Municipalities and Regional Government.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Wareham
Library,—
certification.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill relative to Wareham Library certification (Senate, No. 2163) ought to pass. 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 Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Attorney
General,—
actions
involving
pilots.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House Bill relative to representation by the Attorney General in actions involving pilots (House, No. 3676) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4469). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House, with the amendment 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 was adopted; and the substituted bill was ordered to a third reading.

Emergency Measure.

Lowell Civic
Stadium
Commission.

The engrossed Bill establishing a sick leave bank for Tree Borden, an employee of the Norfolk District Attorney’s Office (see House, No. 4400), 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 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Engrossed Bills.

Engrossed bills

Authorizing Berkshire Community College to lease certain land to the Pittsfield Young Men’s Christian Association (see Senate, No. 2114, amended);

Bills
enacted.

Relative to harassment prevention orders (see Senate, No. 2212, amended);

(Which severally originated in the Senate); and

Authorizing the town of Spencer to grant tax abatements to certain military personnel (see House, No. 1134) (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 Senate Bill authorizing the board of assessors of the city of Quincy to grant tax abatements to certain military personnel (Senate, No. 1302), 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.

Third
reading
bill.

House Bills

Relative to amending the responsibilities of the Nantucket Planning and Economic Development Commission (House, No. 1122) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Relative to the appointment of special police officers in the town of Dracut (House, No. 1143);

Establishing a board of health in the town of Nantucket (House, No. 1895) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the lease of certain agricultural land in the town of Westford (House, No. 4193) (its title having been changed by the committee on Bills in the Third Reading); and

Requiring engine coolant and antifreeze to contain a bittering agent so as to render it unpalatable (House, No. 4285) (its title having been changed by the committee on Bills in the Third Reading);

Severally having been 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.

Third reading bill amended. The House Bill amending the charter of the town of Millis for the purpose of establishing an appointed board of assessors (House, No. 4216), was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a Bill amending the charter of the town of Millis to establish an appointed board of assessors (House, No. 4473); and the report was accepted.

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

Second reading bill engrossed. The House Bill establishing a sick leave bank for Elizabeth J. Lynch, an employee of the Department of Children and Families (House, No. 4464) was read a second time; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Gobi of Spencer, 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. Sent to the Senate for concurrence.

Second reading bills. The Senate Bill designating the walking path along Lynn Shore Drive at Red Rock Park in the city of Lynn as the Senator Walter J. Boverini Scenic Walkway (Senate No. 407); and

House Bills
 Relative to overall vehicle length (House, No. 3790); and
 Designating a certain bridge in the city of Fall River as the Louis Phillip Gagne Jr. bridge (House, No. 4274);

Severally were read a second time; and they were ordered to a third reading.

Third reading bill. The House Bill relative to the boundaries of the Fore River designated port area (House, No. 4360, changed), 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 inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to eliminate a parcel of land in the city of Quincy and the town of Braintree as a designated port area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4360, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess. At eight minutes after twelve o'clock noon, on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at twenty minutes after one o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Quorum.

Mr. deMacedo thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 149 members were recorded as being in attendance.

[See Yea and Nay No. 286 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Fox of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not recorded on the previous roll call due to being on official business in another part of the State House.

Subsequently a statement of Ms. Provost of Somerville was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not recorded on the previous roll call due to being on official business in another part of the State House.

Reports of Committees.

By Mr. Murphy of Burlington, for the committee on Ways and Means, on a part of the House Bill relative to safe driving (House, No. 4238) and a part of the House Bill relative to distracted driving (House, No. 4460), a Bill relative to safe driving (House, No. 4466). 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 Mr. Costello of Newburyport, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, 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.

After debate on the question on passing the bill to be engrossed, Mr. Kaufman of Lexington moved to amend it in line 129 by inserting after the following: "Section 13B. (a)" the following sentence: "No operator of a motor vehicle shall use a mobile electronic device or a mobile telephone, unless said telephone is a hands-free mobile telephone."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Ms. Balsler of Newton; and on the roll call 92 members voted in the affirmative and 66 in the negative.

[See Yea and Nay No. 287 in Supplement.]

Therefore the amendment was adopted.

Subsequently a statement of Mr. Atsalis of Barnstable was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that it was my intention to vote in the affirmative on the previous vote, but I inadvertently voted in the negative.

Mr. Fallon of Malden then moved to amend the bill in line 56, after the word "entity," by inserting the following sentence: "A junior operator who has been found guilty of violating any speeding laws and or regulations twice in any twelve month period, shall lose their license for a period of one year after the date of the second speeding offense."; and the amendment was rejected.

Mr. Fernandes of Milford and other members of the House then moved to amend the bill in lines 40 and 41 by striking out the following: "60 days for a first offense, for 180 days for a second offense, and for 1 year for a third or subsequent offense" and inserting in place thereof the following: "7 days for a first offense, for 30 days for a second offense, and for 90 days, for a third or subsequent offense."

After remarks the amendment was adopted.

Mr. Fernandes and other members of the House then moved to amend the bill in line 46 by inserting after the word "completes" the words "or enrolls in a program to complete".

After remarks the amendment was adopted.

Mr. Fernandes of Milford and other members of the House then moved to amend the bill in line 41 by striking out the figures "\$500" and inserting in place thereof the figures "\$100" and, in said line, by inserting after the word "fee" the following: "for a first offense, and \$500 for a second or subsequent offense".

The amendments were adopted.

Mr. Fernandes and other members of the House then moved to amend the bill in line 56 by inserting after the word "entity" the words "or parent, or guardian"; and the amendment was adopted.

Representatives Peake of Provincetown and Bowles of Attleboro then moved to amend the bill by striking out section 5; and after remarks the amendment was rejected.

Mr. Donato of Medford being in the Chair,—

Ms. Peisch of Wellesley and other members of the House moved to amend the bill in line 131 by inserting after the word "vehicle" the words "; provided, however, that this section shall not apply to the operator of a public safety vehicle utilizing a mobile telephone, hands-free mobile telephone or other mobile electronic device in the performance of his official duties."

After remarks the amendment was adopted.

Mr. Petrolati of Ludlow being in the Chair,—

Ms. Peisch and other members of the House moved to amend the bill by inserting after line 98 the following paragraph:

"(g) Whenever an applicant for a license or renewal thereof is required to appear in person at a registry branch, he or she shall present a statement from a licensed health care provider on a form prescribed or provided by the registrar. Such statement shall indicate that the health care provider has examined the applicant and has found no cognitive or functional impairment that would affect that person's ability to safely operate a motor vehicle."

The amendment was rejected.

Ms. Balsler of Newton then moved to amend the bill in line 71 by inserting after the word "physician" the word ", psychologist"; and the amendment was adopted.

Representatives Wolf of Cambridge and Scaccia of Boston then moved to amend the bill in line 59 by striking out the following: "75 years of age or older".

After remarks the amendment was rejected.

Mr. Cabral of New Bedford then moved to amend the bill in lines 58, 59 and 60 by striking out the following sentence: "An applicant for the renewal of a license 75 years of age or older shall apply for renewal in person at a registry branch office." and inserting in place thereof the following sentence: "An applicant for the renewal of a license shall apply for a renewal in person at a registry branch office for at least every other required renewal."

The amendment was rejected.

Mr. Donato of Medford being in the Chair,—

Representatives Lewis of Winchester and Clark of Melrose moved to amend the bill by adding the following section:

"SECTION 14. The second paragraph of subsection (f) of section 13A of Chapter 90 of the General Laws, is hereby amended by striking out the last sentence beginning at 'The provisions' and ending at 'offense' and inserting in place thereof the following sentence:— The provisions of this section shall be enforced upon observation by law enforcement agencies."

The amendment was rejected.

Representatives Peisch of Wellesley and Dykema of Holliston then moved to amend the bill in line 75 by striking out the word "may" and inserting in place thereof the word "shall". The amendment was rejected.

Mr. Golden of Lowell then moved to amend the bill in line 65 by inserting after the word "certificate" the words ", signed by an optometrist or ophthalmologist,".

The amendment was adopted.

Ms. Provost of Somerville then moved to amend the bill in lines 35 and 36 by striking out the words "on any public way"; and the amendment was adopted.

The same member then moved to amend the bill in line 101 by striking out the words "in public transportation" and inserting in place thereof the words "while transporting passengers for a fee or for hire", in line 102 by inserting after the word "bus," the words "passenger van, car, taxi or paratransit vehicle", in line 106 by inserting after the word "or" (the first time it appears) the word "by" and, in said line, by striking out the word "or" (the second time it appears) and inserting in place thereof the words ", nor an operator of".

The amendments were adopted.

Mr. Fernandes of Milford and other members of the House then moved to amend the bill in lines 114 to 118, inclusive, by striking out the paragraph contained therein; and the amendment was adopted.

Mr. Fernandes and other members of the House then moved to amend the bill in lines 138 to 142, inclusive, by striking out the paragraph contained therein; and the amendment was adopted.

Safe
driving.

Messrs. Linksy of Natick and Fernandes of Milford then moved to amend the bill by striking out section 11 and inserting in place thereof the following section:

"SECTION 11. Section 24 of chapter 90, as so appearing, is hereby amended by inserting after words 'motor vehicle', in line 730, the following words:— or whoever while operating a motor vehicle in violation of section 12A or section 13B, such violation proved beyond a reasonable doubt, is the proximate cause of injury to any other person, vehicle or property by operating said motor vehicle negligently so that the lives or safety of the public might be endangered."

The amendment was adopted.

Representatives Frost of Auburn and Spiliotis of Peabody then moved to amend the bill[A] in lines 111, 112 and 113 by striking out the paragraph contained therein, and in lines 135, 136 and 137 by striking out the sentence contained therein.

Pending the question on adoption of the amendments, Mr. Wagner of Chicopee moved that they be amended by striking out the text contained therein [at "A"] and inserting in place thereof the following:— in line 136 by striking out the word "shall" and inserting in place thereof the word "may".

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

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Wagner of Chicopee; and on the roll call 146 members voted in the affirmative and 9 in the negative.

[See Yeas and Nays No. 288 in Supplement.]

Therefore the bill (House, No. 4475, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Murphy of Burlington, for the committee on Ways and Means, on the Bill relative to unemployment insurance rates (House, No. 1846, changed), reported, in part, a bill with the same title (House, No. 4470). 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.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Murphy of Burlington, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of the same member; and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 289 in Supplement.]

Therefore the bill (House, No. 4470) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to
be engrossed,—
yeas and nays
No. 288.

Bill passed to
be engrossed,—
yeas and nays
No. 289.

Engrossed Bill.

The engrossed Bill authorizing the board of assessors of the city of Quincy to grant tax abatements to certain military personnel (see Senate, No. 1302) (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. Bill enacted.

Order.

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

Accordingly, with further consideration of the remaining matters in the Orders of the Day, at six minutes after six o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.