

JOURNAL OF THE HOUSE.

Monday, January 5, 2009.

Met at nine minutes after eleven o'clock A.M., in an Informal Session, with Ms. Forry of Boston 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, Our Creator, we begin this first full week of this new year with hearts and minds filled with thanks for our blessings, with confidence, trust and hope in You and Your ways. We look forward to the many opportunities which will come our way for serving You, constituents and our families. During these days of political, economic and social worldwide unrest, we pray for the wisdom to address all issues in a wise, respectful and productive manner. In these final hours of the 185th General Court of Massachusetts, we thank all the members and employees of this House for serving the people and the Commonwealth faithfully and successfully during these 2 years. The members of this House and constituents may disagree, at times, on serious legislative issues, policies and administrative decisions. But we are united in our intention to serve and promote the common good at all times. Inspire us to continue our determination to respect and protect the civil, human and religious rights of all in our Commonwealth.

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

At the request of the Chair (Ms. Forry), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

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 caregiver medical and educational consent [see House, No. 4718] (for message, see House, No. 5200) was filed in the office of the Clerk on Friday, January 2.

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. Golden of Lowell, to the committee on Bills in the Third Reading.

Subsequently, the noon recess having terminated, said committee reported recommending that the amendments recommended by the Governor be considered in the following form:

In section 1, by striking out the last paragraph contained in subsection 2, as follows:

Caregiver
consent.

“The authorizing party shall not use a caregiver authorization affidavit to circumvent any state or federal law, and shall not use a caregiver authorization affidavit solely for the purpose of attendance at a particular school.” and inserting in place thereof the following paragraph:

“The authorizing party shall not use a caregiver authorization affidavit to circumvent any state or federal law, solely for the purposes of attendance at a particular school, or to re-confer rights to a caregiver from whom those rights have been removed by a court of law.”;

In said section 1, by striking out clause (7) contained in subsection 5, as follows:

“(7) a statement that the affidavit is not for the purposes of circumventing any particular state or federal law or attendance at a particular school.” and inserting in place thereof the following clause:

“(7) a statement that the affidavit is not for the purposes of circumventing any state or federal law of attendance at a particular school, or to re-confer rights to a caregiver from whom those rights have been removed by a court of law.”; and

In said section 1, by striking out the paragraph contained in lines 138 and 139 of subsection (6) (as printed) as follows:

“I am not using this affidavit to circumvent any state or federal law or solely for the purposes of attendance at a particular school.” and inserting in place thereof the following paragraph:

“I am not using this affidavit to circumvent any state or federal law, for the purposes of attendance at a particular school, or to re-confer rights to a caregiver from whom those rights have been removed by a court of law.”; and the report was accepted.

The amendments then were adopted. Sent to the Senate for concurrence.

Resolutions.

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

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating David Chutian on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating Mitchell Joseph Kennedy-Smith on receiving the Eagle Award of the Boy Scouts of America;

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

Order.

An Order (filed this day by Mr. Verga of Gloucester) relative to authorizing the special commission established (under Chapter 1 of the Resolves of 2008) for the purpose of making an investigation and study relative to the hidden effects of war, to file its report

David
Chutian.

Mitchell
Joseph
Kennedy-
Smith.

Veterans,
hidden
effects
of war.

with the General Court, said report having been due not later than September 15, 2008, was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Scaccia of Boston, for the committees on Rules, then reported that the order ought to be adopted.

Under suspension of the rules, on motion of Mr. Verga, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill relative to discharging sewage from marine vessels into waters of the Commonwealth designated as no discharge areas (House, No. 4805) 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 2621.

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

A Bill authorizing the town of Tewksbury to issue pension funding bonds or notes (Senate, No. 2890) (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.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Miceli of Tewksbury, 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.

A Bill relative to a medical emergency response plan for schools (Senate, No. 2673) (on Senate bill No. 1243 and House, No. 1161) [Estimated Cost: More than \$100,000], passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Bills

Relative to drag racing in the city of Taunton (Senate, No. 1411, amended by striking out section 4) (on a petition) [Local Approval Received];

Relative to the interest rate on certain betterment assessments in the town of Wareham (Senate, No. 2155) (on a petition) [Local Approval Received];

Authorizing the town of Wareham to grant 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2741, amended in section 1, by striking out lines 20 to 30, inclusive, and inserting in place thereof the following:

Marine
vessels,
sewage
discharge.

Tewksbury,
pension
fund.

Emergency
response
plan.

Taunton,
drag
racing.

Wareham,
Weweantic
sewer project.

Wareham,
liquor
licenses.

Wareham,
liquor
licenses.

“If a license granted under this act is cancelled, revoked or no longer in use, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority which may then grant the license to a new application at the same location and under the same conditions as specified in this act. No license granted under this act may be reissued to a new applicant unless the applicant files with the licensing authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.” (on House, No. 4830) [Local Approval Received]; and

Ipswich,
liability
fund.

Establishing a post employment health insurance liability fund in the town of Ipswich (Senate, No. 2886) (on a petition) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Cape Cod,
status of
women.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing the Cape Cod and Islands commission on the status of women (Senate, No. 2884) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, 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. Peake of Provincetown, 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.

Sharon,
alcoholic
beverages.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the town of Sharon to grant licenses for the sale of wine and malt beverages not to be drunk on the premises (House, No. 5191) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Greenfield,
charter.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill relative to the charter of the town of Greenfield (printed in House, No. 5171). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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. Curran of Springfield, 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.

Raynham,
development
fund.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a Raynham development revolving fund (House, No. 4849) be scheduled for consideration by the House.

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

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill further regulating the rights of adopted children (Senate, No. 1234, amended) ought to pass with an amendment in line 5 by striking out the date: “September 1, 2008” (as amended by the Senate) and inserting in place thereof the date: “January 1, 2009”. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Adopted
children, rights.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Walsh of Lynn, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 1234, amended) was ordered to a third reading.

Emergency Measure.

The engrossed Bill relative to the establishment of a tax amnesty program by the Commissioner of Revenue (see House, No. 5143, 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.

Tax amnesty pro-
gram.

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 12 to 0. Sent to the Senate for concurrence.

Bill

re-enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bill enacted.

The engrossed Bill validating the actions taken by the town of Webster at certain annual and special town meetings (see House bill printed in House, No. 5133) (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.

Bills enacted.

Engrossed bills

Authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (see Senate, No. 2300, amended) (which originated in the Senate);

Relative to the First District Court of Eastern Middlesex (see House, No. 1408);

Relative to the Groton Country Club Authority (see House, No. 4008);

Exempting the position of school custodian in the town of South Hadley from the civil service law (see House, No. 4419); and

Authorizing the town of Lincoln to establish a post employment health insurance trust fund (see House, No. 4775);

(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.

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

Public health, regionalize.

The Senate Bill relative to public health regionalization (Senate, No. 2784) was read a second time, under suspension of Rule 47, on motion of Mr. Lepper of Attleboro; and it was ordered to a third reading.

Recess.

Recess.

At seven minutes before twelve o'clock noon, on motion of Mr. Murphy of Burlington (Ms. Forry of Boston being in the Chair), the House recessed until a quarter before one o'clock P.M.; and at thirteen minutes before two o'clock the House was called to order with Ms. Forry in the Chair.

Papers from the Senate.

Charles River, water quality.

The House Bill establishing a Charles River water quality commission (House, No. 5041) came from the Senate passed to be

engrossed, in concurrence, with an amendment in section 1, in line 57, striking out the following: "February 1, 2009" and inserting in place thereof the following: "March 1, 2010".

Under suspension of Rule 35, on motion of Ms. Grant of Beverly, 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 establishing a sick leave bank for Genevieve O'Brien, an employee of the Trial Court of the Commonwealth (House, No. 5186) came from the Senate passed to be engrossed, in concurrence, with an amendment adding at the end thereof 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 trial court."

Genevieve O'Brien, sick leave.

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.

Reports of Committees.

Mr. Scaccia of Boston, for the committee on Rules, on the Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the courts of the Commonwealth (House, No. 4614), reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1768) of Steven M. Walsh and others relative to reducing domestic violence in the Commonwealth,— and recommending that the same be recommitted to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted.

Domestic violence, reduce.

Subsequently Mr. O'Flaherty of Chelsea, for said committee, on the foregoing petition, reported a Bill to reduce domestic violence in the Commonwealth (House, No. 1768), which was read.

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

Bicyclist safety.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing for bicycle safety (Senate, No. 2573, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

Orders of the Day.

Lowell,
funeral
expenses.

The engrossed bill authorizing the town of Lowell to pay funeral and burial expenses of employees killed in performance of duty (see House, No. 5126), which had been returned by His Excellency the Governor, in accordance with the provisions of Article LVI of the Amendments to the Constitution, with recommendation of amendments (for message, see House, No. 5196), was considered.

The amendments recommended by the Governor then were adopted in the following form (as approved by the committee on Bills in the Third Reading):

In section 1, by adding the following sentence: "For the purpose of this act, 'employee' shall mean any person in the service of the city of Lowell whose duties require not less than 20 hours of work during a regular work week, and shall not include any seasonal employee, emergency employee or retiree."; and by striking out the title and inserting in place thereof the following title: "An Act authorizing the city of Lowell to pay funeral and burial expenses of employees killed in the performance of their duties.".

Sent to the Senate for concurrence.

Third
reading
bill.

The Senate Bill relative to the Massachusetts Municipal Wholesale Electric Company (Senate, No. 2733), 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
bills.

House bills

Punishing interference with the safe operation of trains and certain other common carriers (House, No. 3498, changed);

Relative to mercury management (House, No. 4773); and

Authorizing the city of Salem an additional liquor license to Arcari Restaurant Group (House, No. 5089);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Food
allergies,
awareness.

The Senate Bill relative to food allergy awareness in restaurants (Senate, No. 2701), 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, in concurrence, Messrs. Jones of North Reading and Peterson of Grafton moved to amend it in section 1, in lines 20 to 23, inclusive, by striking out the sentence contained therein, in line 41 by striking out the following: "12 months and no later than 24 months" and inserting in place thereof the following: "24 months and no later than 36 months", and in line 49 by striking out the figure "6" and inserting in place thereof the figures "12".

The amendments were adopted; and the bill (Senate, No. 2701, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments.

Oral
health.

The Senate Bill to improve, promote and protect the oral health of the Commonwealth (Senate, No. 2819, amended), 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, as previously amended, to be engrossed, in concurrence, Representatives Walrath of Stow and Scibak of South Hadley moved to amend it by striking out section 3 (as previously inserted by amendment by the House) and inserting in place thereof the following section:

"SECTION 3. Chapter 111 of the General Laws, as so appearing, is hereby amended by inserting after section 4M the following new section:—

Section 4N. (a) Subject to appropriation, the commissioner shall appoint a dental director. The dental director shall serve at the pleasure of the commissioner and shall be a dentist licensed in the commonwealth with public health experience. The department may establish additional qualifications for the position of dental director by regulation. The dental director shall oversee the department of public health dental program to increase access to oral health services, oral health prevention activities and other initiatives to address oral health disparities.

(b) There shall be an office of oral health within the department with responsibilities including, but not limited to, the following oral public health activities:

(1) to provide recommendations and guidance to the department and other individuals or entities as the office determines, including, but not limited to other departments, agencies, community providers and the legislature for preventing oral diseases of residents of the commonwealth and for improving, promoting and protection the oral health of residents with a focus on underserved populations and reducing oral health disparities;

(2) to monitor, study and appraise the commonwealth's oral health services for residents of the commonwealth in collaboration with key partners, including, but not limited to: other executive office of health and human services agencies and departments, including, but not limited to, MassHealth, department of youth services, department of children and families, department of mental retardation, department of mental health, the executive office of elderly affairs, board of registration in dentistry and other public agencies, including but not limited to, the department of elementary and secondary education and the department of early education and care;

(4) provided information and education concerning oral health to the dental health community and to public;

(5) to promote and provide technical assistance, monitoring and evaluation of population-based dental programs, such as community water fluoridation, school prevention programs and mobile and portable dental programs, and other programs to improve access to services;

(6) policy development to promote the public's oral health; and

(7) other related programs, policies and preventive measures that impact oral health."; and by striking out section 7 (as previously

Oral
health.

inserted by amendment by the House) and inserting in place thereof the following section:

“SECTION 7. Section 51 of said chapter 112, as so appearing, is hereby amended by inserting after the second paragraph the following 2 paragraphs:—

A registered dental hygienist practicing as a public health dental hygienist may perform, without the supervision or direction of a dentist, in public health settings, any procedure or provide any service that is within the scope of his or her practice and that has been authorized and adopted by the board of delegable procedure for dental hygienists in private practice under general supervision. Public health settings shall include, but not be limited to, the following: residences for the homebound; schools; nursing homes and long-term care facilities; clinics, hospitals, medical facilities, community health centers and mobile and portable dental health hospitals, medical facilities, community health centers and mobile and portable dental health programs licensed or certified by the department of public health; Head Start programs; and other facilities or programs deemed appropriated by the department of public health. Before performing a procedure or providing a service under this paragraph, a public health dental hygienist shall enter into a written collaborative agreement with a local or state government agency or institution, or with a licensed dentist who states that he shall be able to provide the appropriate level of communication and consultation with the dental hygienist to ensure patient health and safety. The board shall establish appropriate guidelines for this written collaborative agreement. Public health dental hygienists shall be required to provide to the patient or his legal guardian a written referral to a dentist and an assessment of further dental needs. Public health dental hygienists shall also provide each patient or his guardian, for the patient or his guardian’s signature, a consent form, consistent with current department of public health policies, that describes services to be rendered, explains that the services are not a substitute for a dental examination by a dentist, and informs the patient or his legal guardian that the patient should obtain a dental examination by a dentist within 90 days. Public health dental hygienists shall be directly reimbursed for services administered in a public health setting by Medicaid or the commonwealth care health insurance program, but shall not seek reimbursement from any other insurance or third party payer. The designation of public health dental hygienist shall not authorize a dental hygienist to operate independently of a dentist with the exception of a dental hygienist working for a local or state government agency or institution, or practicing in a mobile or portable prevention program licensed or certified by the department of public health.

The department of public health, in consultation with the board, shall determine an appropriate level of training for designation of dental hygienists as public health dental hygienists within 6 months of the passage of this legislation.”.

The amendments were adopted; and the bill (Senate, No. 2819, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment (text of H5180, as amended).

The House Bill authorizing the expansion of the Adams Fire District (House, No. 4845), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. District.

Pending the question on passing the bill to be engrossed, Mr. Bosley of North Adams moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Notwithstanding section 79 of chapter 48 of the General Laws or any other general or special law to the contrary, all territory within the town of Adams not covered by the Adams fire district as established in chapter 197 of the acts of 1873 shall be annexed to said fire district.

SECTION 2. This act shall take effect upon a majority vote in the affirmative by the registered voters of the town of Adams residing in the area to be annexed to the Adams fire district; provided, however, that said vote is ratified by the Adams Prudential Committee at a duly called meeting.”.

The amendment was adopted; and bill House, No. 4845, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess.

At two minutes after two o’clock P.M., on motion of Mr. Jones of North Reading (Ms. Forry of Boston being in the Chair), the House recessed until the hour of three o’clock; and at twelve minutes before four o’clock the House was called to order with Ms. Forry in the Chair.

Papers from the Senate.

Kayak
safety.

The House Bill relative to kayak safety (House, No. 4981) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 2 and inserting in place thereof the following section:

“SECTION 2. Said chapter 90B is hereby further amended by inserting after section 13A the following section:—

Section 13B. Anyone who holds himself out as a kayak instructor for hire shall obtain and maintain: (i) first aid training approved by the department of public health; (ii) cardiopulmonary resuscitation training approved by the department of public health; and (iii) kayak instructor certification from the American Canoe Association, American Red Cross certification in small craft safety and basic water rescue, or equivalent water training.

The instructor shall train students on the safety procedures appropriate to the level of paddling difficulty. Before a novice student is instructed in open waters, he shall receive wet exit training, which is practice escaping from a kayak while submerged in a controlled water setting.

A liability release that limits an instructor’s responsibility to comply with this section shall be void.”.

Under suspension of Rule 35, on motion of Mr. Straus of Mattapoisett, 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.

Low-speed
vehicles.

The House Bill relative to the operation of low-speed motor vehicles (House, No. 5113) 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 2898.

Under suspension of Rule 35, on motion of Mr. Jones of North Reading, 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.

Germaine
Mayers,
sick leave.

The House Bill establishing a sick leave bank for Germaine Mayers, an employee of the Middlesex Superior Court Probation Department (House, No. 5173) 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 2899.

Under suspension of Rule 35, on motion of Ms. Walz of Boston, 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.

Report of a Committee.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the appointment of the chief of the fire department in the town of Marblehead (Senate, No. 2842) be scheduled for consideration by the House.

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

Marblehead,
fire chief.

Emergency Measures.

The engrossed Bill relative to discharging sewage from marine vessels into waters of the Commonwealth designated as no discharge areas (see House, No. 4805, 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 12 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.

Marine
vessels,
sewage
discharge.

Bill
enacted.

Genevieve
O'Brien,
sick leave.

The engrossed Bill establishing a sick leave bank for Genevieve O'Brien, an employee of the Trial Court (see House, No. 5186, 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 12 to 0. Sent to the Senate for concurrence.

Bill
enacted.

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

Engrossed Bills.

Bill
enacted.

The engrossed Bill validating the actions taken at annual town elections held in the town of Dalton (see House bill printed in House, No. 5152) (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.

Engrossed bills

Bills
enacted.

Relative to the Massachusetts Municipal Wholesale Electric Company (see Senate, No. 2733);

Establishing the Cape Cod and Islands commission on the status of women (see Senate, No. 2884);

Authorizing the town of Tewksbury to issue pension funding bonds or notes (see Senate, No. 2890);

(Which severally originated in the Senate);

Relative to the park department in the town of Braintree (see House, No. 4237);

Relative to elections in the town of Braintree (see House, No. 4458);

Providing for the filling of certain vacancies in the town of Braintree (see House, No. 4459);

Relative to vacancies in certain elected offices in the town of Braintree (see House, No. 4489);

Relative to signatures for nomination petitions for city councillor-at-large in the city of Boston (see House, No. 4889);

Relative to the positions of treasurer and tax collector in the town of Becket (see House, No. 4940);

Establishing a Charles River water quality commission (see House, No. 5041, amended);

Authorizing the establishment of an affordable housing fund in the town of Harwich (see House, No. 5077);

Authorizing the town of Provincetown to impose a lien upon property in the town of Truro to secure unpaid water fees and charges (see House, No. 5099, changed);

Authorizing the town of Littleton to issue pension obligation bonds or notes (see House, No. 5156);

Authorizing Antonio F. Dinis to take the civil service examination for the position of police officer in the town of Milford (see House, No. 5157); and

Bills
enacted.

Authorizing Louis Magliozzi to take the civil service examination for appointment as a police officer in the town of Burlington notwithstanding the maximum age requirement (see House, No. 5162);

(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.

Springfield,
financial
stability.

The engrossed Bill providing for the financial stability of the city of Springfield (see House, No. 5192) (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.

Pending the question on passing the bill to be enacted, Mr. Swan of Springfield moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill by inserting after section 7 the following section:

“SECTION 7A. Notwithstanding any general or special law to the contrary, the Springfield Finance Control Board shall, within 60 days of receipt from the inspector general of the report entitled ‘Review of City of Springfield Towing Contract’, study and make recommendations on the feasibility of implementing proposed improvements proposed in said report. The recommendations shall be filed with the secretary of administration and finance and the house and senate committees on ways and means.”

The amendment was adopted. Sent to the Senate for concurrence.

Orders of the Day.

The Senate Bill relative to the estate of homestead (Senate, No. 2653), 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. Sent to the Senate for concurrence previously adopted by the House.

Third
reading
bill.

House bills

Relative to the purchase of flags (House, No. 5026); and

Relative to the protection of children (House, No. 5109, amended) (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.

Third
reading
bills.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered. That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Next
sitting.