

Thursday, January 20, 2011.

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).

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.

Silent Prayer.

Perman Glenn.

During the session (the Speaker being in the Chair), at the request of Messrs. Swan of Springfield, Kocot of Northampton and all of the members of the Springfield delegation, the members, guests and employees stood in a moment of silence in respect to the memory of Perman Glenn III, a zealous criminal defense attorney, a personal injury practitioner, a noted law professor and a champion of the civil rights of any and all individuals regardless of their race, creed, color, gender or economic status. Mr. Glenn is survived by his wife of 16 years, Larnett Glenn; one son, Perman IV; three loving daughters, Alyssa, Halie, and Alex, and one stepdaughter, Brooke.

Resignation of Representative Koutoujian of Waltham.

The following communication having been transmitted to the Clerk was read for the information of the House and placed on file:

January 20, 2011.

The Honorable Robert A. DeLeo
The Massachusetts State House
Room 356
Boston, MA 02133

Dear Speaker DeLeo,

Resignation of Representative Peter J. Koutoujian of Waltham.

I am writing to formally submit my resignation from the position of State Representative for the 10th Middlesex District effective at the close of business on Friday, January 21, 2011. Thereafter, I will assume the duties of Middlesex County Sheriff, as appointed by Governor Deval Patrick.

While I am honored by this appointment, I am saddened to leave my colleagues in the Legislature from whom I have learned and shared so much. It has been one of the greatest privileges of my life to serve in the Massachusetts House of Representatives and a special honor to have served under your leadership.

Sincerely,

PETER J. KOUTOUJIAN,
State Representative.

Appointment by the Minority Leader.

Mr. Jones of North Reading had announced, on January 20, 2011, the appointment (under Section 13S(3) of Chapter 34 of the General Laws) of Julieanne Thurlow, President of Reading Co-Operative Bank, to the special commission to study the feasibility of establishing a bank owned by the Commonwealth or by a public authority constituted by the Commonwealth.

Publicly-owned bank.

Communications.

A communication from the Bristol County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of the report were forwarded to the committees on Ways and Means and Post Audit and Oversight, as required by said law]; was placed on file.

Bristol County Registry of Deeds.

Resolutions.

The following resolutions (filed with the Clerk) were considered forthwith, under suspension of the rules, in each instance, on motion of Mr. Walsh of Lynn; and they were adopted, as follows:

Resolutions (filed by Mrs. Poirier of North Attleborough) celebrating the tenth anniversary of the Jack Strachan Memorial Dance; and

Jack Strachan Memorial Dance.

Resolutions (filed by Representatives Kafka of Stoughton, Galvin of Canton, Rogers of Norwood, Garlick of Needham, Barrows of Mansfield and Chan of Quincy) honoring Michael Jackman for his dedicated service to the cities and towns of Norfolk County.

Michael Jackman.

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at three minutes after one o'clock the House was called to order with the Speaker in the Chair.

Recess.

Petition.

Mr. Donato of Medford presented a petition (accompanied by bill, House, No. 33) of Sean Garballey and others (with the approval of the mayor and city council) that the mayor of the city of Medford be authorized to appoint Stephanie Muccini Burke as director of budget and personnel in said city; and the same was referred, on motion of Mr. Sciortino of Medford, to the temporary committee on Rules.

Medford,— Stephanie Muccini Burke.

Mr. Binienda of Worcester, for said committee, then reported, on the foregoing petition, a Bill authorizing the mayor of the city of Medford to appoint Stephanie Muccini Burke as director of budget and personnel in the city of Medford (House, No. 33) [Local Approval Received], which was read.

Under suspension of the rules, on motion of Mr. Sciortino, 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. Donato of Medford, the bill was read a third time.

The same member moved to amend the bill by adding the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 33, amended) then was sent to the Senate for concurrence.

Orders of the Day.

House
Rules.

The House Order relative to the adoption of permanent rules for the House of Representatives for the years 2011 and 2012 (House, No. 2011) was considered.

Quorum.

Pending the question on adoption of the order, Mr. Hill of Ipswich asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 1.

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. 1 in Supplement.]

Therefore a quorum was present.

After remarks, Mr. Brownsberger of Belmont then moved to amend the order by adding the following rule:

“**Rule 87.** Purchases of goods and services using funds from House operations accounts shall be conducted so as to achieve good value and so as to assure that, for major purchases, all potential vendors have the opportunity to make a proposal. In particular, persons conducting procurement for House operations accounts shall use available statewide contracts whenever practical and, for particular purchases that are likely to exceed fifty thousand dollars in cost in a single fiscal year, conduct a competitive public procurement process. A competitive public procurement process shall include a widely published request for proposals and, to the extent practical, shall use available statewide vendor information systems. For each purchase exceeding or likely to exceed five thousand dollars in cost in a single fiscal year, all requests for proposals, all responses to requests for proposals, the contract or contracts awarded and all invoices submitted pursuant to those contracts shall be retained for at least three years in a purchasing file. All such purchasing files shall be maintained in a single physical or electronic place and shall be accessible to the public for review during normal business hours. In the case of purchases of legal services, purchasing files shall be made public as for any other purchase, but privileged information pertaining to specific individuals may be redacted from documents available in the publicly accessible files.”.

Pending the question on adoption of the amendment, Messrs. Brownsberger and Binienda of Worcester moved to amend it by striking out the text contained in proposed rule 87 and inserting in place thereof the following:

“**Rule 87.** (a) All procurement for goods or services shall be completed by the House Business Manager with the approval of the House Counsel.

(b) All procurements for goods or services shall, to the extent practicable, be made from the statewide procurement list established by the operational services division.

(c) Upon certification by the House Business Manager that a necessary procurement cannot be made using the statewide procurement list established by the operational services division, the House Business Manager may procure the required goods or services pursuant to the following:

(i) for a procurement of a supply or service in an amount of less than \$5,000, the House Business Manager shall use sound business practices;

(ii) for a procurement of a supply or service in an amount of \$5,000, but less than \$50,000, the House Business Manager shall seek written or oral quotations from no fewer than 3 persons customarily providing such supply or service. The House Business Manager shall record the names and addresses of all persons from whom quotations were sought, the names of the persons submitting quotations and the date and amount of each quotation. The House Business Manager shall award the contract to the responsible person whose quotation offers the needed quality of supply of service and which represents the best value for the Commonwealth;

(iii) for a procurement of a supply or service in an amount exceeding \$50,000 the business manager shall seek proposals through a competitive bid process established by the office of House Counsel; provided, however, that the Office of House Counsel shall file the competitive bid process with the House Clerk no later than March 31 of the first year of the session.

(d) All procurements for legal and consulting services shall be handled exclusively by the Office of House Counsel in compliance with the provisions of this rule. Prior to executing a contract for legal or consulting services, said office shall certify, in writing, to the Clerk of the House of Representatives that no employee of the House of Representatives possesses the required skills to complete the service which is the subject of the contract.

(e) The House Business Manager shall maintain a file on each contract not executed using the statewide procurement list established by the operational services division and in excess of \$5,000 and shall include in such file a copy of all documents related to the contract. Upon execution of the contract, the House Business Manager shall transmit the file to the Office of House Counsel which shall make the file available for inspection within said office by members of the House for at least 3 years from the date of final payment under the contract; provided, however, that the Office of House Counsel shall redact from said file any information which (i) is legally privileged; (ii) is proprietary; or (iii) is related to individual members or House personnel.

(f) Whenever the time required to comply with a requirement of this rule would endanger the health, safety or convenience of the members, staff or visitors to the House of Representatives the House Business Manager may make an emergency procurement without satisfying the requirement of this rule; provided, however, that both the House Business Manager and the House Counsel certify in writing that: (i) an emergency exists and an explanation of the nature thereof; (ii) said emergency procurement is limited to only supplies or services neces-

sary to meet the emergency; (iii) said emergency procurement conforms to the requirements of this rule to the extent practicable under the circumstances; (iv) includes each contractor's name; (v) includes the amount and the type of each contract; (vi) includes the supplies or services provided under each contract; and (vii) includes the basis for determining the need for an emergency procurement. Such certification shall be file with the Clerk of the House prior to an emergency procurement."

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of Mr. Brownsberger of Belmont; and on the roll call (Mr. Donato of Medford being in the Chair) 156 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 2 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Ms. Stanley of West Newbury then moved to amend the order to include the following: "All home rule petitions shall be reported upon by their committee of origin within 60 days after being filed and shall be acted upon by the entire House within 120 days of filing; provided, however, that if the home rule petition is not acted upon by the entire House within said time, it shall automatically be deemed engrossed and sent to the Senate." The amendment was rejected.

Mr. Binienda of Worcester then moved to amend the order in proposed rule 40 by striking out, in line 835, the words "may be made to" and inserting in its place the words: "shall be required in order to amend." The amendment was adopted.

Mrs. Poirier of North Attleboro moved to amend the order in proposed rule 2, in line 16, by striking the words "during formal sessions". After remarks the amendment was adopted.

Mr. Frost of Auburn then moved to amend the order after line 806 by inserting the following rule:

"Rule 33F. No bill, resolve or order resulting in an increase in the taxation of persons in the Commonwealth shall be finally acted upon by the House of Representatives except by a call of the yeas and nays with two-thirds of the members present voting in favor of the increase; nor shall any such bill, resolve or order be considered for final passage after a date thirty days preceding the last date set by law for filing nomination papers with the local election authority for election to the General Court at the next biennial state election. This rule shall not be suspended except by a vote of two-thirds of the members present and voting thereon."

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 the same member; and on the roll call 31 members voted in the affirmative and 123 in the negative.

[See Ye and Nay No. 3 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in proposed rule 16, in lines 187 to 189, by striking out the following sentence: "The committee shall consist of eleven members, seven of whom shall be appointed by the Speaker,

Further amendment adopted, — ye and nay No. 2.

Amendment rejected, — ye and nay No. 3.

four of whom shall be appointed by the Minority Leader." and inserting in place thereof the following sentence: "The committee shall consist of eight members, four of whom shall be appointed by the Speaker, four of whom shall be appointed by the Minority Leader."

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 Mr. Webster of Pembroke; and on the roll call 32 members voted in the affirmative and 122 in the negative.

Amendment rejected, — ye and nay No. 4.

[See Ye and Nay No. 4 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in proposed rule 16 by adding the following sentence: "At the end of each biennial legislative session, the committee shall file a report with the Clerk disclosing the number of complaints received, the number of complaints determined to have merit, the number of complaints determined to be without merit, and the dates of all committee meetings held during the session; provided, that the committee's report shall not contain any information sufficient to identify the source of or person named in any complaint received by the committee or any other confidential or personal identifying information."

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 31 members voted in the affirmative and 124 in the negative.

Amendment rejected, — ye and nay No. 5.

[See Ye and Nay No. 5 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order by inserting after proposed rule 72 the following rule:

"Rule 72A. Any amendment in the second degree containing language which would create a study of any part of the subject matter contained in the original amendment, may only be adopted if such further amendment has the express approval of the sponsor of the original amendment. Express approval shall be limited to the original sponsor speaking in favor of the further amendment on the floor of the House during the formal session in which the amendment is offered, provided that such speech is recorded in the Journal of the House, or the filing of the further amendment by the original sponsor. If the original sponsor does not provide express approval of such further amendment, the further amendment may only be adopted by an affirmative vote of not less than two-thirds of the members on a recorded ye and nay vote."

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Humason of Westfield; and on the roll call 31 members voted in the affirmative and 124 in the negative.

Amendment rejected, — ye and nay No. 6.

[See Ye and Nay No. 6 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order by striking out proposed rule 23A and inserting in place thereof the following rule:

“Rule 23A. No member of the House shall receive privileges or compensation for postage.”

Pending the question on adoption of the amendment, Messrs. DeLeo of Winthrop and Jones of North Reading moved to amend it by striking out the text contained therein and inserting in place thereof the following rule:

“Rule 23A. No member of the House, except the Speaker, Speaker pro tempore, Majority Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-Chairperson of the Committee on Ways and Means, and committee chairmen with respect to committee business, shall receive privileges or compensation for postage which is greater than seventy-five percent of the amount allowed as standard practice during the 186th biennial session of the General Court, as determined by the House Business Manager.”

The further amendment then was adopted, thus precluding a vote on the pending amendment.

Mr. Jones of North Reading and other members of the House then moved to amend the order, in proposed rule 52, in line 938, by striking out the word “two” and inserting in place thereof the word “four”; and in said proposed rule, in line 939, by inserting after the word “voted” the following: “; provided, that if at any time during said voting period any standing, joint or conference committee is meeting in public or executive sessions, the Speaker shall leave the electronic voting machine open for not less than 5 minutes”.

Pending the question on adoption of the amendments, Messrs. Jones and Binienda of Worcester moved to amend the amendments by striking out the text contained therein and inserting in place thereof the following: “in line 939, by inserting after the word ‘voted’ the following words:— ; provided, that if at any time during said voting period any standing, joint or conference committee is meeting in public or executive sessions, the Speaker shall leave the electronic voting machine open for not less than 5 minutes.”. The further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Jones of North Reading and other members of the House then moved to amend the order in proposed rule 21, in line 585, by striking out the words “make available to the members” and inserting in place thereof the words “file with the Clerk of the House”.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 31 members voted in the affirmative and 123 in the negative.

[See Yeas and Nays No. 7 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones and other members of the House then moved to amend the order in proposed Rule 17A, in line 383, by inserting the following paragraph:

“No matter reported to the House from an executive session or by the Rules committee in any session shall be taken up for consideration until twenty-four hours, not including Saturdays, Sundays, and legal

Amendment
rejected,—
yea and nay
No. 7.

holidays, shall have elapsed from the time of its reporting, except in the cases of emergency, in which cases the provisions of this paragraph may be suspended by a two-thirds vote of the members present and voting.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 32 members voted in the affirmative and 122 in the negative.

[See Yeas and Nays No. 8 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in proposed Rule 85A, in lines 1235 and 1236, by striking out the words “outside, independent audits of House financial accounts be conducted at the end of each fiscal year” and inserting in place thereof the following: “audits of the House financial accounts be conducted by the State Auditor, in substantially the same form as prescribed by section 12 of chapter 11 of the General Laws, at the end of each fiscal year”.

Pending the question on adoption of the amendment, Messrs. DeLeo of Winthrop and Jones moved that it be amended by striking out the text contained therein and inserting in place thereof the following “by striking out proposed rule 85A and inserting in place thereof the following rule:—

85A. The House Business Manager, with the approval of House Counsel, shall provide that outside, independent audits of House financial accounts be conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with balance report from the comptroller of the Commonwealth. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The House Business Manager shall provide the independent auditor with requested documents for such audit. A copy of such audit shall be filed with the Clerk of the House and copies shall be made available to the members and the general public.”

After remarks on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 9 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Jones of North Reading and other members of the House moved to amend the order by inserting after proposed rule 10A the following new rule:

“10B. All committee rules and practices that are contained within or referred to by the House Rules or Joint Rules, other than the internal practices of each committee, shall be within the domain of the Clerk to enforce in accordance with the Clerk’s duties as official parliamentarian of the House of Representatives.”.

Amendment
rejected,—
yea and nay
No. 8.

Amendment
adopted,—
yea and nay
No. 9.

Amendment
rejected,—
yea and nay
No. 10.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call, 32 members voted in the affirmative and 122 in the negative.

[See Yea and Nay No. 10 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the order in line 391 after the word "public" by inserting the words "by the Clerk on the Legislative Web Page."

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 31 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 11 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House moved to amend the order by striking out proposed rule 4A; in proposed rule 5, in lines 32 to 37, inclusive, by striking out the two sentences in those lines and inserting in place thereof the following sentence: "In the event the Speaker fails to appoint a member to perform the duties of the Chair, the Majority Leader, the Assistant Majority Leader, the Second Assistant Majority Leader or other designee of the Majority Leader shall be the Acting Speaker.";

In proposed rule 18, in line 483, by striking out the words "the Speaker pro tempore,";

In proposed rule 23A (inserted by amendment), there being no objection, by striking out the words "Speaker pro tempore";

In proposed rule 49, in lines 909 and 910, by striking out the words "or a person who has been elected Speaker pro tempore"; and, in line 912, by striking out the words "Speaker pro tempore".

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays at the request of Mr. Hill of Ipswich; and on the roll call 32 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 12 in Supplement.]

Therefore the amendments were rejected.

Mr. Jones of North Reading and other members of the House moved to amend the order in proposed Rule 17, in line 321, by striking out the words "insofar as practicable", and in line 322, by inserting after the word "Representatives" the following: "unless the chair of the committee submits to the Clerk a written description of the emergency, as defined by rule 17A, that necessitates such a scheduling and the Clerk makes said description available to the members". After remarks the amendments were rejected.

On the question on adoption of the order, as amended, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson of Grafton; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 13 in Supplement.]

Therefore the Order (House, No. 2012, published as amended) was adopted.

Amendment
adopted,—
yea and nay
No. 12.

Order
adopted,—
yea and nay
No. 13.

Paper from the Senate.

The Order relative to Joint Rules of the Senate and House of Representatives for the years 2011-2012 (Senate, No. 6, amended in proposed joint rule 12 by adding the following sentence: "If, after 30 days, the committees on Rules of the two branches, acting concurrently, fail to issue a report, then the committee on Rules of the branch in which the matter was deposited shall issue a report and said matter shall be deemed admitted and referred to the appropriate committee for consideration.") came from the Senate with the endorsement that it had been adopted by said branch.

Under suspension of the rules, on motion of Mr. Binienda of Worcester, the order was considered forthwith.

Pending the question on adoption of the order, in concurrence, Messrs. Jones of North Reading and other members of the House moved to amend the order in proposed rule 4, in the second paragraph, by adding the following sentence: "Such roll calls shall be posted on the Legislative Web Page by the Clerks of the two branches."

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 Mr. Peterson of Grafton; and on the roll call 31 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 14 in Supplement.]

Therefore the amendment was rejected.

Messrs. Jones and other members of the House then moved to amend the order in rule 1D by adding the following two sentences: "Included in such notice shall be a designated period of time, not to exceed one-half hour, during which time testimony from legislators shall be heard on matters listed on the hearing agenda. Legislators wishing to be heard, either prior to, or subsequent to the designated period shall follow the guidelines set forth under the rules designated by each committee for the receipt of testimony by members of the public."

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 Mr. Peterson of Grafton; and on the roll call 32 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 15 in Supplement.]

Therefore the amendment was rejected.

Messrs. Jones of North Reading and Peterson of Grafton and other members of the House then moved to amend the order by adding the following rule:

"36. Not later than March 15th of each year the house and senate shall approve a joint resolution declaring the minimum amount of aid to be distributed to the cities and towns of the commonwealth in the upcoming fiscal year. Said resolution shall declare the minimum amount of chapter 70 aid, so called, and unrestricted general government aid to be received by each city, town or school district."

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 Mr. Hill of Ipswich; and on the roll call 32 members voted in the affirmative and 123 in the negative.

[See Yea and Nay No. 16 in Supplement.]

Therefore the amendment was rejected.

Joint
Rules.

Amendment
rejected,—
yea and nay
No. 14.

Amendment
rejected,—
yea and nay
No. 15.

Amendment
rejected,—
yea and nay
No. 16.

Mr. Binienda of Worcester then moved to amend the order in proposed joint rule 12 by striking out the following proposed sentence: "If, after 30 days, the committees on Rules of the two branches, acting concurrently, fail to issue a report, then the committee on Rules of the branch in which the matter was deposited shall issue a report and said matter shall be deemed admitted and referred to the appropriate committee for consideration." (inserted by amendment by the Senate).

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Binienda of Worcester; and on the roll call 124 members voted in the affirmative and 31 in the negative.

[See Yeas and Nays No. 17 in Supplement.]

Therefore the amendment was adopted.

Messrs. Murphy of Burlington, Dempsey of Haverhill and Pedone of Worcester then moved to amend the order by striking out proposed rules 11 through 11D, inclusive, and inserting in place the following six rules:

"Committees of Conference.

11. Committees of conference shall consist of 3 members on the part of each branch, representing its vote; and their report, if agreed to by a majority of each committee, shall be made to the branch asking for the conference, and may be either accepted or rejected, but no other action shall be had, except through a new committee of conference.

11A. Upon the appointment of a committee of conference to whom matters of difference in respect to any appropriation bill or in respect to any bill providing for capital outlay programs and projects are referred, the clerk of the branch requesting said committee of conference shall make available to members of the General Court a list of the matters in disagreement identified by item number and item purpose and showing the amount made available by each branch of the General Court, and any other matters in disagreement and the position of each of the said branches.

The report of said committee of conference shall consist of the matters of difference so referred and so identified, showing the amounts appropriated by each of the said branches and other matters in disagreement and the position of each branch with respect to those matters, and shall state said committee's recommendations with respect to the matters so referred. Matters on which there exists no disagreement between the branches shall not be disturbed by the committee on conference.

The committees on ways and means of each branch of the General Court shall assist such committee of conference in any and all matters necessary to the preparation and completion of its report.

11B. No report from a committee of conference shall be considered or acted upon by either branch until the calendar day following the day on which said report shall have been available to the public and to the members of the General Court. The committee shall file its report no later than 8 p.m. on the day preceding its consideration and the General Court shall not consider said report before 1 p.m. on the following day, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is filed.

Amendment
adopted, —
yea and nay
No. 17.

11C. Reports, other than those filed under Rule 11A, from a committee of conference shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk.

11D. Upon filing of a report by a committee of conference the clerk shall immediately refer the report to the committee on Bills in the Third Reading of the branch with whom the report was filed. Said committee on Bills in the Third Reading shall review the report for accuracy and shall only make corrective technical changes. Said changes shall be recorded electronically on the document. The Chair of said committee on Bills in the Third Reading shall certify via a signature on the report that the changes made by said committee on Bills in the Third Reading are technical in nature.

11E. Upon the filing of a report by a committee of conference and the completion of a review by the committee on Bills in the Third Reading of the branch with whom the report was filed, the clerk shall, as soon as practicable, make the report and the summary of the report available to all members electronically and to the public on the official website of the General Court."

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Murphy of Burlington; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 18 in Supplement.]

Therefore the amendment was adopted.

The order (Senate, No. 6, amended) then also was adopted, in concurrence, as amended. Sent to the Senate for concurrence in the amendments.

Special Recognition.

The Speaker then recognized Representative Jerald A. Parisella of Beverly; and, on behalf of the entire membership, wished him well upon his impending deployment with to Iraq.

Amendment
adopted, —
yea and nay
No. 18.

Representative
Jerald A.
Parisella.

Order.

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

Next
sitting.

Mr. Donato of Medford and Sciortino of Medford then moved that as a mark of respect to the memory of John F. Zamparelli, a member of the House from Medford from 1953 to 1956, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at three minutes after five o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford having taken the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.