

Thursday, April 21, 2011.

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

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

Resolutions.

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

Resolutions (filed by Mr. Mariano of Quincy) honoring the Town River Yacht Club on the occasion of its one hundredth anniversary; Town River Yacht Club.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating Matthew J. Small on receiving the Eagle Award of the Boy Scouts of America; Matthew J. Small.

Resolutions (filed by Mr. Lewis of Winchester) congratulating the Winchester Multicultural Network on the occasion of its twentieth anniversary; Winchester Network.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Laura Raffo on the occasion of her retirement; and Laura Raffo.

Resolutions (filed by Ms. Story of Amherst) honoring Professor Arlene Voski Avakian on the occasion of her retirement; Arlene Voski Avakian.

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

Petitions.

Mr. Binienda of Worcester presented a petition (subject to Joint Rule 12) of John J. Binienda relative to overtime for garagemen; and the same was referred, under Rule 24, to the committee on Rules. Garagemen,—overtime.

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. Pedone of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Labor and Workforce Development. Sent to the Senate for concurrence.

Mr. Miceli of Wilmington presented a petition (subject to Joint Rule 12) of James R. Miceli for legislation to establish a sick leave bank for Mitch Dembowski, an employee of the Department of Developmental Services; and the same was referred, under Rule 24, to the committee on Rules. Mitch Dembowski,—sick leave.

Mitch Dembowski,—
sick leave.

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. Pedone of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

Eastham,—
treasurer-
collector.

The House Bill establishing an appointed town treasurer-collector position in the town of Eastham (House, No. 3257, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 6, in line 22, striking the word "The" and inserting in place thereof the following: "Notwithstanding section 42C of chapter 54 of the General Laws or any other general or special law or town by-law to the contrary, the".

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

Bills

Peggy Machado,—
sick leave.

Establishing a sick leave for Peggy Machado, an employee of the Department of Correction (Senate, No. 1336, amended by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition); and

Hartmut R. Andrade,—
sick leave.

Establishing a sick leave bank for Hartmut R. Andrade, an employee of the Bristol County sheriff's office (Senate, No. 1881) (on a petition);

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.

Edward V. Brooks,—
sick leave.

A petition of Frederick E. Berry for legislation to establish a sick leave bank for Edward V. Brooks, an employee of the department of corrections, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1917) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Sturbridge,—
land.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Sturbridge to convey a certain parcel of land (House, No. 574), be scheduled for consideration by the House.

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

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill relative to authorizing the town of Saugus to place a certain question relative to a real estate tax assessment for snow and ice removal costs on the town's election ballot (House, No. 3334) [Local Approval Received].

Saugus,—
real estate
assessment.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Linda Kelley, an employee of the Department of Transportation (House, No. 3387).

Linda
Kelley,—
sick leave.

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

Mr. Kafka of Stoughton, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of the rules, in each instance, on motion of Mr. Wong of Saugus, the bills were read a second time forthwith; and they were ordered to a third reading.

Orders of the Day.

The engrossed Bill establishing a financial literacy trust fund (see House, No. 3347), being section 4A contained in the engrossed Bill making appropriations for the fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3318, amended), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3345), was considered.

Financial
literacy
trust fund.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form approved by said committee; and the report was accepted. The amendment then was adopted. Sent to the Senate for its action.

The Senate Bill relative to filling the vacancies in the office of mayor of the city of Revere (Senate, No. 1877), 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 the Citizens Advisory Board on uses of the Rumney Marsh Area (House, No. 2598) (its title having been changed by the committee on Bills in the Third Reading); and

Third
reading
bills.

Establishing a sick leave bank for Joseph DeMartino, an employee of the Department of Correction (House, No. 3339);

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.

Emergency Measure.

The engrossed Bill establishing a financial literacy trust fund (see House, No. 3347, 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.

Financial
literacy
trust fund.

Financial
literacy
trust fund.

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 2 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.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at twelve o'clock noon.

At twenty seven-minutes after twelve o'clock noon., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at twelve o'clock noon.