

Wednesday, May 25, 2011.

Met according to adjournment at one o'clock P.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.

Special Communications.

The Speaker being in the Chair,—

The following communication, together with returns of votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

May 18, 2011.

To the Honorable House of Representatives:

Returns of votes for Representative in the Tenth Middlesex District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of May, 2011, for Representative in the General Court, 10th Middlesex District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN, Secretary of the Commonwealth.

The communication was read; and, there being no objection, it was placed on file.

The following communication, together with returns of votes and schedules therein referred to, was received from the Secretary of the Commonwealth, to wit:—

May 18, 2011.

To the Honorable House of Representatives:

Returns of votes for Representative in the Sixth Worcester District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of May, 2011, for Representative in the General Court, 6th Worcester District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN, Secretary of the Commonwealth.

The communication was read; and, there being no objection, it was placed on file.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered. That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representatives-elect Peter J. Durant of the Sixth Worcester District and John J. Lawn, Jr. of the Tenth Middlesex District are assembled in the Chamber of the House of Representatives and are ready to take the oaths of office.

Governor notified.

The Speaker then appointed Representatives Murphy of Burlington, Hecht of Watertown, Moran of Boston, Stanley of Waltham, Donato of Medford, Cusack of Braintree, Brownsberger of Belmont, Peterson of Grafton, Fattman of Sutton, Ferguson of Holden and Kuros of Uxbridge as the special committee of the House.

Subsequently Mr. Murphy of Burlington, for the committee, reported that they had attended to the duties assigned to them, and that the Governor had stated that he would attend forthwith and administer the oaths of office.

Members Qualified.

Soon afterward His Excellency the Governor, Deval L. Patrick, accompanied by members of the Honorable Council came in; the oaths and affirmation required by the Constitution and laws were administered by the Governor to the members-elect then present, and were subscribed by them; after which His Excellency declared that the members were duly qualified to enter upon the discharge of their duties.

Representatives Durant of Spencer and Lawn of Watertown,— qualification.

After brief remarks by each newly qualified member, the Speaker assigned Mr. Durant to Seat No. 127 and Mr. Lawn to Seat No. 150.

His Excellency the Governor and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

Petition.

Petitions severally were presented and referred as follows:

By Representative Peisch of Wellesley and Senator Fargo, a joint petition (accompanied by bill, House, No. 3459) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) that the town of Weston be authorized to grant three additional licenses for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Weston,— alcoholic beverages.

Templeton,—
town
meeting.

By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 3460) of Anne M. Gobi and Stephen M. Brewer (by vote of the town) that the board of selectmen of the town of Templeton be authorized to include certain subjects in the warrant to be considered at the annual town meeting of said town.

Nantucket,—
land bank.

By Mr. Madden of Nantucket, a petition (accompanied by bill, House, No. 3461) of Timothy R. Madden and Daniel K. Wolf (by vote of the town) that the Nantucket Islands Land Bank be authorized to sell, convey or otherwise dispose of certain land in the town of Nantucket.

Nantucket,—
historic
district.

By Mr. Madden of Nantucket, a petition (accompanied by bill, House, No. 3462) of Timothy R. Madden and Daniel K. Wolf (by vote of the town) relative to the historic district of the town of Nantucket.

Weston,—
employees.

By Representative Peisch of Wellesley and Senator Fargo, a joint petition (accompanied by bill, House, No. 3463) of Alice Hanlon Peisch and Susan C. Fargo (by vote of the town) relative to salaries and benefits of employees of the town of Weston serving on active duty in the armed forces.

Ware,—
Scott
Lawrence.

By Representatives Smola of Palmer and Gobi of Spencer, a petition (accompanied by bill, House, No. 3464) of Todd M. Smola, Stephen M. Brewer and Anne M. Gobi (by vote of the town) relative to the appointment of Scott Lawrence as a police officer in the town of Ware, notwithstanding the maximum age requirements.

Ware,—
Daniel J.
Clark.

By Representatives Smola of Palmer and Gobi of Spencer, a petition (accompanied by bill, House, No. 3465) of Todd M. Smola, Stephen M. Brewer and Anne M. Gobi (by vote of the town) relative to the appointment of Daniel J. Clark as a police officer in the town of Ware, notwithstanding the maximum age requirements.

Acton,—
property
taxes.

By Representative Atkins of Concord and Senator Eldridge, a joint petition (accompanied by bill, House, No. 3466) of Cory Atkins, James B. Eldridge and Jennifer E. Benson (by vote of the town) that the town of Acton be authorized to establish a means tested senior citizen property tax exemption. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Wilmington,—
landfill.

Representative Murphy of Burlington and Senator Tarr presented a joint petition (subject to Joint Rule 12) of Charles A. Murphy, James R. Miceli and Bruce E. Tarr (by vote of the town) for legislation to exempt the town of Wilmington from liability relative to the solid waste landfill, commonly known as the "Maple Meadows Landfill" located in said town; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

Woburn,—
alcoholic
beverages.

Mr. Donato of Medford being in the Chair,—
The House Bill authorizing the licensing authority of the city of Woburn to grant 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3343), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 25 striking out the word "licensee" and inserting in place thereof the word "license".

Under suspension of Rule 35, on motion of Mr. Dwyer of Woburn, 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 Committee.

By Mr. Scibak of South Hadley, for the committee on Public Service, on Senate, No. 1348 and House, No. 680, a Bill further regulating group insurance commission benefits for state employees and retired state employees (House, No. 680).

Group
Insurance,—
benefits.

By the same member, for the same committee, on Senate, No. 1340 and House, No. 704, a Bill relative to eligibility for state group health insurance (House, No. 704).

Health
insurance,—
eligibility.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Scibak of South Hadley, for the committee on Public Service, on Senate, No. 1289 and House, No. 703, a Bill relative to the minimum pension for retirees (House, No. 703).

Pension
minimums.

By the same member, for the same committee, on Senate, No. 1303 and House, No. 2411, a Bill to provide retirement options for nonprofit organizations (House, No. 2411).

Non-profits,—
retirement.

By the same member, for the same committee, on Senate, Nos. 1306, 1343 and 1351 and House, Nos. 675, 701 and 711, a Bill relative to cost of living adjustments for retired public employees of the Commonwealth (House, No. 3457).

Retirees,—
cost of
living.

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

Engrossed Bill.

The engrossed Bill authorizing the town of Shrewsbury to establish a special fund (see House, No. 556) (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; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill authorizing the conveyance of certain state land in the town of Sharon (House, No. 2589, changed), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

Senate bills
Designating Bridge Street bypass road in the city of Salem as Sgt. James Ayube Memorial Drive (Senate, No. 1875); and
Establishing a sick leave bank for Theresa Hillard, an employee of the Department of Public Health (Senate, No. 1896, amended); and
House bills
Preserving public trust rights in land affected by ocean erosion (House, No. 254);

Second
reading
bills.

Second
reading
bills.

Establishing a business and economic development special revenue fund in the city of Marlborough (House, No. 1452); and
Designating a certain bridge in the town of Lakeville in honor of James Warren Buzzell, Jr. (House, No. 1787);
Severally were read a second time; and they were ordered to a third reading.

Order.

Next
sitting.

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

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at eight minutes before two o'clock P.M., on motion of Mr. Humason of Westfield (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.