

Wednesday, July 27, 2011.

Met according to adjournment, at eleven o'clock A.M., 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 Representatives Garlick of Needham and Winslow of Norfolk) congratulating Richard Desorgher on his retirement from the Medfield public school system; and Richard Desorgher.

Resolutions (filed by Ms. Peake of Provincetown) honoring Robert L. Grant for his thirty four years of service to the United States federal government; Robert L. Grant.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Pedone of Worcester, 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. Michlewitz of Boston presented a petition (accompanied by bill, House, No. 3635) of Aaron Michlewitz (with the approval of the mayor and city council) relative to rent regulation in governmentally-involved housing in the city of Boston; and the same was referred to the committee on Housing. Sent to the Senate for concurrence. Boston,—rent regulation.

Representative Durant of Spencer and Senator Moore presented a joint petition (subject to Joint Rule 12) of Peter J. Durnat and Richard T. Moore for legislation to establish a sick leave bank for Mark Denault, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules. Mark Denault,—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. Walsh of Framingham, 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.

Petitions severally were presented and referred as follows:

By Mr. Linsky of Natick, a petition (subject to Joint Rule 12) of David Paul Linsky relative to intimidation in the criminal justice system. Criminal justice,—intimidation.

Gold Star license plates.

By Mr. Scaccia of Boston, a petition (subject to Joint Rule 12) of Angelo M. Scaccia relative to the issuance of "Gold Star Family" registration plates. Severally, under Rule 24, to the committee on Rules.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Elaine Strout-Clement,—sick leave.

Joint petition (accompanied by bill) of Sheila Harrington and James B. Eldridge for legislation to establish a sick leave bank for Elaine Strout-Clement, an employee of the Trial Court. To the committee on the Judiciary.

Grisel Caraballo,—sick leave.

Joint petition (accompanied by bill) of Steven M. Walsh and Thomas M. McGee for legislation to establish a sick leave bank for Grisel Caraballo, an employee of the Department of Revenue. To the committee on Public Service.

Wind electric facilities,—regulate development.

Petition (accompanied by bill) of Demetrius J. Atsalis for legislation to prohibit the development of wind electric generation facilities detrimental to the operation of structures used for the transmission of radio or telecommunications. To the committee on Telecommunications, Utilities and Energy.

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

Public health warnings.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to the issuance of public health warnings (House, No. 1474, changed in line 2 by inserting after the word "Virus" the words "and other mosquito-borne illnesses as deemed appropriate by the department of public health", and in line 3 by striking out the words "of public health").

Nursing commission.

By the same member, for the same committee, on House, No. 1491, a Resolve establishing the Massachusetts commission on advanced practice nursing (House, No. 3627).

Workplace violence,—prevention.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill requiring health care employers to develop and implement programs to prevent workplace violence (printed as Senate No. 1237).

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

Emergency Measure.

Nantucket,—land.

The engrossed Bill authorizing the conveyance of a certain parcel of land by the county of Nantucket (see House, No. 568, 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 6 to 0. Sent to the Senate for concurrence.

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

Bill enacted.

Engrossed Bill.

The engrossed Bill authorizing the board of selectman of the town of Clinton to delegate certain powers to the town administrator (see House, No. 2330) (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 establishing a sick leave bank for Debra Callinan, an employee of the Soldiers' Home in Chelsea (House, No. 3616), was read a second time; and it was ordered to a third reading.

Second reading bill engrossed.

Subsequently, under suspension of the rules, on motion of Mr. O'Flaherty of Chelsea, 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.

The Senate Bill exempting Joseph Walklett from the maximum age requirement for appointment as a firefighter in the city of Malden (Senate, No. 1924); and

Second reading bills.

The House Bill sick leave bank for Phyllis A. Rugnetta (House, No. 3589);

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

The Senate Bill relative to economic development in the North Point area of the city of Cambridge (Senate, No. 1955, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Cambridge,—North Point.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by striking out section 3 and inserting in place thereof the following section:

"SECTION 3. Notwithstanding any general or special law to the contrary, as the 'Request for Proposals for Long Term Lease of Surplus MassDOT Real Property', dated August 4, 2010, and issued by the Massachusetts Department of Transportation, contemplates an option to purchase said parcel by the tenant under a lease thereof upon proper authorization of such a purchase option, the department is hereby authorized to grant, in a lease of said parcel, an option for the tenant thereunder to purchase the fee interest in said parcel for a purchase price equal to the fair market value of such fee interest, subject to the lease and excluding improvements constructed by the lessee, as determined by an independent appraisal and approved by the secretary of transportation."

The amendment was adopted; and the bill (Senate, No. 1955, amended) was passed to engrossed, in concurrence. Sent to the Senate for concurrence in the House amendments (striking out all after the

enacting clause and inserting in place thereof the text contained in House document numbered 3626, amended).

Recess.

Recess. At twenty-eight minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until the hour of one o'clock P.M.; and at seventeen minutes after one o'clock the House was called to order with Mr. Mariano of Quincy in the Chair.

Emergency Measure.

Adult day health program. The engrossed Bill relative to the adult day health program (see House, No. 3579, 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 8 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) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill re-enacted,—yea and nay No. 92. On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays, at the request of Ms. Wolf of Cambridge; and on the roll call (the Speaker being in the Chair) 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 92 in Supplement.]

Therefore the bill (see House, No. 3579, amended) was passed to be re-enacted in its amended form; and it was signed by the Speaker and sent to the Senate.

Engrossed Bill.

Bill enacted. The engrossed Bill relative to unclaimed property in the Commonwealth (see House, No. 2043) (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 Speaker and sent to the Senate.

Reports of Committees.

Prior to consideration of the matters in the Orders of the Day,—

Sales tax holiday. By Mr. Wagner of Chicopee, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill to establish a sales tax holiday August 2011 (printed as Senate, No. 156), which was read.

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

Subsequently, the noon recess having terminated, under suspension of the rules, on further motion of Mr. Wagner, the bill (reported by the

committee on Bills in the Third Reading to be correctly drawn) was read a third time, its title having been changed by said committee to read: "An Act providing for a certain exemption from the sales tax."

Pending the question on passing the bill to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by striking out sections 1 to 16, inclusive, and inserting in place thereof the following section:

"SECTION 1. Chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding, after section 6, the following:—

Section 6A. The commissioner of revenue is hereby authorized and directed to annually designate, by July 15 of each calendar year, a two-day weekend in August during which no excise shall be imposed upon non-business sales at retail in the commonwealth of tangible personal property, as defined in section 1 of this chapter, but for the purposes of this section, tangible personal property shall not include telecommunications, gas, steam, electricity, motor vehicles, boats, meals, or any single item whose price is in excess of \$2,500.

For the days designated by the commissioner pursuant to the provisions of this section, a vendor in the commonwealth shall not add to the sales price or collect from any non-business purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of this chapter. The commissioner of revenue shall not require any vendor to collect and pay excise upon sales at retail of tangible personal property purchased on said designated days. Any excise erroneously or improperly collected during the designated days shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals, or any single item whose price is in excess of \$2,500.

When choosing the designated days, the commissioner shall take into consideration the observance of any religious and secular days of observation occurring therein; provided further, that the commissioner shall designate such days so as to maximize the economic benefit to the commonwealth.

Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days designated by the commissioner.

On or before December 31 of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, because of this act. The commissioner shall issue a report, detailing by fund the amounts under general and special laws governing the distribution of revenues under this chapter which would have been deposited in each fund, without this act.

The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act."

Point of
order.

Mr. Pedone of Worcester thereupon raised a point of order that the amendment offered by the gentleman from North Reading, et als, was improperly before the House for the reason that it went beyond the scope of the pending bill.

In answer to the point of order, the Speaker ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

Mr. Peterson of Grafton thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Jones of North Reading.

The question was then put "Shall the decision of the Chair stand as the judgment of the House?"

After debate on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 121 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 93 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Section 2 of chapter 64H of the General Laws, as most recently amended by section 53 of chapter 27 of the Acts of 2009, is hereby amended by striking out the words '6.25 per cent' and inserting in place thereof the following words:— 5.625 per cent.

SECTION 2. Section 2 of said chapter 64H of the General Laws, as so appearing, is hereby amended by striking out the words '5.625 per cent' and inserting in place thereof the following words:— 5 per cent.

SECTION 3. Section 30A of chapter 64H, as most recently amended by section 53 of chapter 27 of the Acts of 2009, is hereby amended by striking out, in each instance in which it appears, the word '6.25' and inserting in place thereof, in each instance, the following figure:— 5.625.

SECTION 4. Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in each instance in which it appears, the word '5.625' and inserting in place thereof, in each instance, the following figure:— 5.

SECTION 5. Section 2 of chapter 64I of the General Laws, as most recently amended by section 53 of chapter 27 of the Acts of 2009, is hereby amended by striking out the words '6.25 per cent' and inserting in place thereof the following words:— 5.625 per cent.

SECTION 6. Section 2 of said chapter 64I of the General Laws, as so appearing, is hereby amended by striking out the words '5.625 per cent' and inserting in place thereof the following words:— 5 per cent.

SECTION 7. Section 31A of chapter 64I, as most recently amended by section 53 of chapter 27 of the Acts of 2009, is hereby amended by striking out, in each instance in which it appears, the word '6.25' and inserting in place thereof, in each instance, the following figure:— 5.625.

SECTION 8. Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in each instance in which it appears, the word '5.625' and inserting in place thereof, in each instance, the following figure:— 5.

Division of
Chair
sustained,—
yea and nay
No. 93.

SECTION 9. Notwithstanding any general or special law to the contrary, for the days of August 13, 2011 and August 14, 2011, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION 10. Notwithstanding any general or special law to the contrary, for the days of August 13, 2011 and August 14, 2011, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 13, 2011 and August 14, 2011. An excise erroneously or improperly collected during the days of August 13, 2011 and August 14, 2011, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION 11. Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 13, 2011 and August 14, 2011.

SECTION 12. On or before December 31, 2011, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION 13. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

SECTION 14. Eligible sales at retail of tangible personal property under sections 1 and 2 are restricted to those transactions occurring on August 13, 2011 and August 14, 2011. Transfer of possession of or payment in full for the property shall occur on 1 of those days, and prior sales or layaway sales shall be ineligible.

SECTION 15. Sections 1, 3, 5, and 7, inclusive, of this act shall be effective on July 1, 2012.

SECTION 16. Sections 2, 4, 6, and 8, inclusive, of this act shall be effective on July 1, 2013."

Mr. Pedone of Worcester thereupon raised a point of order that the amendment offered by the gentleman from North Reading, et als, was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of
order.

Sales tax holiday.

In answer to the point of order, the Speaker ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

Mr. Jones of North Reading thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Peterson of Grafton.

The question was then put "Shall the decision of the Chair stand as the judgment of the House?"

After debate on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Peterson; and on the roll call 118 members voted in the affirmative and 35 in the negative.

[See Ye and Nay No. 94 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Pedone of Worcester then moved to amend the bill by inserting before the enacting clause the following emerging preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a sales tax free day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted.

After debate on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call (Mr. Mariano of Quincy being in the Chair) 131 members voted in the affirmative and 23 in the negative.

[See Ye and Nay No. 95 in Supplement.]

Therefore the bill (printed as Senate, No. 156, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—yea and nay No. 95.

Recess.

At twenty-one minutes after two o'clock P.M., the Chair (Mr. Mariano of Quincy) declared a recess until half past two o'clock; and at twenty minutes before three o'clock the House was called to order with Mr. Mariano in the Chair.

General Appropriation Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 3581), returning with his disapproval of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3535), reported, in part, that sections 107, 108, 109 and 218 stand (as passed by the General Court). Severally 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 Rule 7A, in each instance, on motion of Mr. Dempsey, the reports were considered forthwith.

Section 107 (DOI review of small group insurance rates), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 144 members voted in the affirmative and 9 in the negative.

[See Ye and Nay No. 96 in Supplement.]

Therefore section 107 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

DOI review of small group insurance rates section 107 stands,—yea and nay No. 96.

Section 108 (DOI review of small group insurance rates), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 143 members voted in the affirmative and 9 in the negative.

[See Ye and Nay No. 97 in Supplement.]

Therefore section 108 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

DOI review of small group insurance rates section 108 stands,—yea and nay No. 97.

Section 109 (DOI review of small group insurance rates), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 146 members voted in the affirmative and 7 in the negative.

[See Ye and Nay No. 98 in Supplement.]

Therefore section 109 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

DOI review of small group insurance rates section 109 stands,—yea and nay No. 98.

Section 218 (DOI review of small group insurance rates effective date), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 151 members voted in the affirmative and 1 in the negative.

[See Ye and Nay No. 99 in Supplement.]

Therefore section 218 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

DOI review of small group insurance rates effective date section 218 stands,—yea and nay No. 99.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill regarding water commissioners in the town of Freetown (House, No. 1164) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Freetown,—water commissioners.

Freetown,—
water
commissioners.

Mr. Kafka of Stoughton for said committee reported that the matter be scheduled for consideration by the House.

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

Acushnet,—
civil service
exemption.

By Mr. Scibak of South Hadley, for the committee of Public Service, on a petition, a Bill exempting employees of the school department in the town of Acushnet and town of Acushnet clerical and janitorial employees from the civil service law (House, No. 1618) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton for said committee reported that the matter be scheduled for consideration by the House.

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

Orders of the Day.

Third
reading
bill.

The Senate Bill amending the city of Gloucester charter (Senate, No. 1059, amended), 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.

House bills

Third
reading
bills.

Relative to the markings of lobster buoys (House, No. 1851) (its title having been changed by the committee on Bills in the Third Reading);

Designating certain pavilions in the city of Revere as the Peter E. McCauley III Memorial Pavilion and the Norman Gautreau Memorial Pavilion (House, No. 2022) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the appointment of a town manager in the town Wilmington (House, No. 3455);

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.

Scrap metal
dealers.

The House Bill relative to scrap metal dealers (House, No. 87), was read a third time.

The committee on Bills in the Third Reading reported asking to be discharged from further consideration of the bill; and the report was accepted.

Pending the question on passing the bill to be engrossed, it was referred to the committee on Rules, on motion of Mr. Pedone of Worcester.

Recess.

Recess.

At twenty-four minutes after three o'clock P.M., Wednesday, July 27, on motion of Mr. DeLeo of Winthrop (Mr. Mariano of Quincy being in the Chair), the House recessed until the following day at one o'clock P.M.; and at that time the House was called to order with Mr. Donato of Medford in the Chair.

Thursday, July 28, 2011 (at 1:00 o'clock P.M.).

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

Statement of Mr. Boldyga of Southwick.

A statement of Representative Boldyga of Southwick was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that due to previously scheduled personal obligations, I was unable to attend the unexpectedly called formal session of Monday, July 11. Had I been in attendance on that day, I would have voted in favor of the proposed amendments to the municipal health care legislation. My missing of roll calls on July 11 was due entirely to the reason stated. Statement of
Mr. Boldyga
of Southwick.

Statement Concerning Representative Markey of Dartmouth.

A statement of Mr. Mariano of Quincy concerning Mr. Markey of Dartmouth was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Markey of Dartmouth, is unable to be present in the House Chamber for today's sitting due to family obligations. His missing of roll calls today is due entirely to the reason stated. Statement
concerning
Mr. Markey of
Dartmouth.

Statement of Mr. Rogers of Norwood.

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

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for a portion of today's sitting due to official business in another part of the State House. If I had been present for the taking of yea and nay Nos. 100 and 101, I would have voted, in each instance, in the affirmative. Statement of
Mr. Rogers
of Norwood.

Recess.

At one minute after one o'clock P.M. (Thursday, July 28), on motion of Mr. Wagner of Chicopee (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-four minutes after one o'clock the House was called to order with Mr. Wagner in the Chair. Recess.

Petitions.

Mr. Torrisi of North Andover presented a petition (subject to Joint Rule 12) of David M. Torrisi, James J. Lyons, Jr. and Bruce E. Tarr for legislation to authorize the appointment of group insurance committees within the cities and towns of the Commonwealth for the purpose of making changes in the design and composition of group health insurance policies for public employees; and the same was referred, under Rule 24, to the committee on Rules. Cities and
towns,—
group health
insurance.

Cities and towns,— group health insurance.

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. Mariano of Quincy, 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.

UMass,— retirement.

Mrs. Ferguson of Holden presented a petition (subject Joint Rule 12) of Paula Makovitch relative to retirement benefits and UMass Memorial Health Care, Inc.; and the same was referred, under Rule 24 to the committee on Rules.

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Lawrence,— housing stock.

Petition (accompanied by bill, Senate, No. 1983) of Barry R. Finegold (with the approval of the mayor and city council) for legislation to protect certain housing stock in the city of Lawrence. To the committee on Housing.

Holden,— charter.

Petition (accompanied by bill, Senate, No. 1984) of Harriette L. Chandler and Kimberly Ferguson (by vote of the town) for legislation relative to the charter of the town of Holden. To the committee on Municipalities and Regional Government.

Firearms and ammunition,— licensing.

A petition (accompanied by bill) of Richard T. Moore and George N. Peterson for legislation relative to the surrender of the firearms and ammunition to licensing authorities, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1992) was referred, in concurrence, to the committee on Public Safety and Homeland Security.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Missing children.

Petition (accompanied by bill) of Donald F. Humason, Jr., Colleen M. Garry and others relative to reporting of a missing child; and

Workers' compensation,— penalties.

Petition (accompanied by bill) of Cleon H. Turner and Denise Provost for legislation to establish penalties for employers falsely asserting to have an active workers' compensation insurance policy;

Severally to the committee on the Judiciary.

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

Michael Jordan,— sick leave.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Michael Jordan, an employee of the department of the Trial Court (House,

No. 3446). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Gina Rossi, an employee of Parole Board (House, No. 3574). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Gina Rossi,— sick leave.

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

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

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a joint petition, a Bill establishing a sick leave bank for Kevin R. Byrne, Sr., an employee of the Trial Court (House, No. 3586). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kevin R. Byrne, Sr.— sick leave.

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

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

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Arcelia Williams-Sullivan an employee of the Massachusetts Rehabilitation Commission (House, No. 3588). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Arcelia Williams-Sullivan,— sick leave.

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

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

By Mr. Costello of Newburyport, for the committee on Financial Services, asking to be discharged from further consideration:

So much of the recommendations of the Commission on Uniform State Laws (House, No. 22) as relates to making amendments to the uniform commercial code covering general provisions, documents of title and secured transactions (House, No. 25),— and recommending that the same be referred to the committee on Economic Development and Emerging Technologies.

Uniform Commercial Code.

Of the petition (accompanied by bill, House, No. 2767) of Paul McMurtry (by vote of the town) for legislation to establish a group insurance liability fund in the town of Westwood,— and recommending that the same be referred to the committee on Public Service.

Westwood,— insurance liability fund.

Business corporations. Of the petition (accompanied by bill, House, No. 2773) of Angelo M. Scaccia and William F. Galvin relative to certain business entity procedures,— and recommending that the same be referred to the committee on State Administration and Regulatory Oversight.

Property improvements,— trust fund. By Mr. Honan of Boston, for the committee on Housing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2787) of Demetrius J. Atsalis for legislation to establish construction trust funds and regulating the use of such funds for improvements to property,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, asking to be discharged from further consideration:

Fund distributions,— education. Of the petition (accompanied by bill, House, No. 1821) of Bradford Hill, Joyce A. Spiliotis and Lori A. Ehrlich relative to total amounts distributed to cities and towns for the purpose of education,— and recommending that the same be referred to the committee on Education.

Publishing of local aid. Of the petition (accompanied by bill, House, No. 3101) of James Arciero and Carolyn C. Dykema that the General Court determine and publish local aid to cities and towns no later than the first day of March of each year;

Municipalities,— funding. Of the petition (accompanied by bill, House, No. 3102) of Antonio F. D. Cabral and others for legislation to assure fair and adequate municipal gap funding for municipalities; and

Municipal aid formulas,— reform. Of the petition (accompanied by bill, House, No. 3103) of Peter V. Kocot for the establishment of a special working group (including members of the General Court) to investigate and make recommendations relative to reforming municipal aid formulas;

And recommending that the same severally be referred to the committee on Municipalities and Regional Government.

Suffolk county Sheriff,— collective bargaining. Of the petition (accompanied by bill, House, No. 3218) of Martin J. Walsh for legislation to fully fund the collective bargaining agreement in the Sheriff's Department of Suffolk County,— and recommending that the same be referred to the committee on Public Service.

Stabilization fund. Of the petition (accompanied by bill, House, No. 3309) of John H. Rogers and others relative to the revenue to the stabilization fund;

Tobacco settlement funds. Of the petition (accompanied by bill, House, No. 3384) of Thomas P. Conroy and others relative to the disbursement of tobacco settlement funds; and

Stabilization fund,— vote requirement. Of the petition (accompanied by bill, House, No. 3426) of Bradley H. Jones, Jr. and others for legislation to require a two-thirds vote of the Senate and the House of Representatives prior to making appropriations from the Stabilization Fund;

And recommending that the same severally be referred to the committee on Revenue.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the reference to the joint committees.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to third party training and background checks for violent history for security staff at bars and clubs (House, No. 1833). Read; and referred, under Rule 33, to the committee on Ways and Means.

Security staff,— bars and clubs.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill clarifying the continuing education requirements for real estate brokers and sales persons (House, No. 123, changed, in line 3 by striking the figures "2011" and inserting in place thereof the figures "2013", and in line 4 by striking the words "is later.").

Real estate brokers.

By the same member, for the same committee, on a joint petition, a Bill authorizing the board of selectmen in the town of West Tisbury to issue licenses for the sale of beer and wine in restaurants, inns and hotels and to issue one day liquor licenses for events (House, No. 3454) [Local Approval Received].

West Tisbury,— alcoholic beverages.

By the same member, for the same committee, on House, No. 3500, a Bill relative to the issuance of an all alcohol beverage license in the city of Easthampton (House, No. 3639) [Local Approval Received].

Easthampton,— alcoholic beverages.

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

Engrossed Bill.

The engrossed Bill amending the city of Gloucester Charter (see Senate, No. 1059, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—
Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 3581), returning with his disapproval of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3535), reported, in part, that section 81 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General Appropriation Bill.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Dempsey, the report was considered forthwith.

Section 81 (prescription drug waste), which had been disapproved by the Governor, then was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Con-

Prescription drug waste section 81 stands,—

yea and nay
No. 100.

stitution; and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 100 in Supplement.]

Therefore section 81 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Emergency Measure.

Mr. Wagner of Chicopee being in the Chair,—

The engrossed Bill relative to economic development in the North Point area of the city of Cambridge (see Senate, No. 1955, 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 25 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 Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call (Mr. Donato of Medford being in the Chair) 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 101 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reports of Committees.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 3581), returning with his disapproval of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3535), reported, in part, that sections 178, 207 and 216 stand (as passed by the General Court). Severally 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 Rule 7A, in each instance, on motion of Mr. Dempsey, the reports were considered forthwith.

Section 207 (head injury regulations delay), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas

Cambridge,—
North Point
area
development.

Bill enacted
(land taking),—
yea and nay
No. 101.

General
Appropriation
Bill.

Delay DPH
head injury
regulations

and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 102 in Supplement.]

Therefore section 207 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 216 (prescription drug waste-effective date), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 103 in Supplement.]

Therefore section 216 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 178 (prescription drug waste), which had been disapproved by the Governor, was considered.

On the question on passing said section, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 104 in Supplement.]

Therefore section 178 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Orders of the Day.

The House Bill establishing a sick leave bank for Grace A. Rugnetta, an employee of the Executive Office of Health and Human Services (House, No. 3589) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly, was read a third time, under suspension of the rules, on motion of Mr. Michlewitz.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by substitution of a bill with the same title (House, No. 3640), which was read.

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

Recesses.

At twenty-seven minutes after two o'clock P.M. (Thursday, July 28), on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until the hour of four o'clock; and at that time the House was called to order with Mr. Donato in the Chair.

section 207
stands,—
yea and nay
No. 102.

Prescription
drug waste
effective date
section 216
stands,—
yea and nay
No. 103.

Prescription
drug waste
section 178
stands,—
yea and nay
No. 104.

Grace A.
Rugnetta,—
sick leave.

Recesses.

Recesses.

The House thereupon took a further recess, on motion of Mr. Mariano of Quincy, until the hour of five o'clock; and at that time the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Humason of Westfield, until the following day at eleven o'clock A.M.; and at that time the House was called to order with Mr. Donato of Medford in the Chair.

Friday, July 29, 2011 (at 11:00 o'clock A.M.).

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.

Guests of the House.

Matthew Huggins.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Matthew Huggins and his father Michael Ananis, both of the town of Andover. The Chair, on behalf of the membership of the House, congratulated Matthew on his remarkable accomplishments in spite of seemingly overwhelming challenges. They were the guests of Mr. Lyons of Andover

Communication.

M.C.I. Cedar Junction,—
corrective actions.

A communication from the Department of Public Health submitting a report of corrective actions taken in response to a report filed (under the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to an inspection of M.C.I. Cedar Junction in the town of Walpole, was placed on file.

Papers from the Senate.

Senate bills

Barnstable,—
sewer fund.

Authorizing the establishment of a sewer construction fund for the town of Barnstable (Senate, No. 1065, amended in section 2 (as printed), in line 7, by striking out the following: "section two A of chapter sixty-four L" and inserting in place thereof the following: "section 2 of chapter 64L") (on a petition) [Local Approval Received];

Dam safety,
repair and
removal.

Further regulating dam safety, repair and removal (Senate, No. 1985, amended in section 1, in lines 33 to 41, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

"Section 66. The department of conservation and recreation shall review and approve projects to receive loan funds from the Dam Repair and Revolving Loan Fund established under section 2CCCC of chapter 29. The department of conservation and recreation shall promulgate regulations, in consultation with the secretary for administration and finance, identifying the application process and the terms and conditions of approving such loans. Loans shall be made available to private dam owners and cities and towns to inspect, repair and remove dams. Priority in the approval of projects shall be given to: (i) cities, towns and charitable, tax exempt organizations; and (ii) projects to repair or remove high hazard and significant hazard dams, as

defined by department of conservation and recreation regulations."; and by striking out section 3 and inserting in place thereof the following two sections:

"SECTION 3. Chapter 29 of the General Laws is hereby amended by inserting after section 2BBBB the following section:—

Section 2CCCC. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Dam Repair and Removal Revolving Loan Fund, into which shall be deposited amounts credited to the fund in accordance with section 19 of chapter 29C. The fund shall be administered in accordance with said section 19 of said chapter 29C by the board of trustees of the water pollution abatement trust created thereunder and shall be held in trust exclusively for the purposes and the beneficiaries described therein. The state treasurer shall be the custodian of the fund and its moneys and securities.

SECTION 3A. Chapter 29C of the General Laws is hereby amended by adding the following section:—

Section 19. (a) In addition to the powers and duties of the board otherwise provided in this chapter, the trust shall be the instrumentality of the commonwealth to establish and administer the Dam Repair and Removal Revolving Loan Fund established in section 2CCCC of chapter 29. The board shall apply monies in the fund to provide financial assistance through a program of low-interest, long-term loans to eligible borrowers for projects approved by the department of conservation and recreation under section 66 of chapter 21.

(b) The board shall receive in trust, hold, administer and disburse, without further appropriation or allotment by the commonwealth in and from the fund the following monies: (i) amounts appropriated by the commonwealth to the trust for purposes of the fund; (ii) notwithstanding any general or special law to the contrary and upon approval by the board of trustees, any amounts transferred to the trust by the state treasurer in accordance with paragraphs (a) and (c) of section 16 of chapter 275 of the acts of 1989, for the Water Pollution Abatement and Drinking Water Projects Administration Fund, and applied by the trust to make loans to local governmental units in accordance with section 26 of chapter 203 of the acts of 1992, including repayments on such loans and any investment earnings thereon; (iii) proceeds of bonds of the trust to the extent required by the board's resolution for issuance of such bonds or any applicable trust agreement; (iv) investment earnings on monies in the fund; and (v) any other amounts required to be credited to the fund by any law or by any resolution, loan agreement or trust agreement of the board or which the board shall otherwise determine to deposit therein.

(c) In the implementation of this section and administration of the Dam Repair and Removal Revolving Loan Fund, the trust shall have all powers to make loans, require and receive security therefor and collect loan repayments applicable to the Water Pollution Abatement Revolving Fund and the Drinking Water Revolving Fund or as necessary for the prudent administration of the Dam Repair and Removal Revolving Loan Fund.

(d) The trust, after consultation with the commissioner of conservation and recreation and the secretary of administration and finance,

shall promulgate regulations to implement and administer this section.”) (on Senate bill No. 367);

Wakefield,—
housing.

Authorizing the sale of land by the Wakefield Housing Authority (Senate, No. 1986) (on Senate bill No. 585); and

Monroe
State
Forest.

Relative to an exclusive and perpetual easement within Monroe State Forest (Senate, No. 1988, amended in section 1, in line 16, by striking out the following: “VE-106-108” and inserting in place thereof the following: “VE-103-108”) (on Senate bill No. 1899, changed);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Tewksbury,—
validate
vote.

The Senate Bill validating a certain vote taken by the town of Tewksbury (Senate, No. 1909) (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.

Revere,—
office of
mayor.

A petition (accompanied by bill, Senate, No. 1990) of Katherine M. Clark, Paul J. Donato, Christopher G. Fallon and Stephen Stat Smith (with the approval of the mayor and city council) for legislation relative to the administrative organization of financial officers in the city of Malden, was referred, in concurrence, to the committee on Municipalities and Regional Government.

JoAnne
Pierce,—
sick leave.

A petition of Katherine M. Clark and Paul Brodeur for legislation to establish a sick leave bank for JoAnne Pierce, an employee of the Executive Office of Health and Human Services, 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. 1993) was referred, in concurrence, to the committee on Public Service.

Report of a Committee.

Judicial
system,—
reorganization.

By Mr. O’Flaherty of Chelsea, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House Bill relative to the reorganization of the judicial system of the Commonwealth (House, No. 3395, amended), recommending the passage of a bill with the same title (House, No. 3644) [Note: An errata signed by all of the conferees was submitted prior to a vote on acceptance of the conference report. The errata appears after section 138 of House, No. 3644].

Under suspension of the rules, on motion of the same member, the report (having been approved by the committees on Bills in the Third Reading of each branch) was considered forthwith; and it was accepted. The report then was sent to the Senate for concurrence.

Groton,—
land.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Groton, acting by and through its board of selectmen and board of water commissioners, to convey a conservation restriction on certain

parcels of land to the Division of Fisheries and Wildlife by its Department of Fish and Game (House, No. 3335) [Local Approval Received]. Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a joint petition, a Bill authorizing the town of Norton to grant easements and restrictions over certain town-owned land (House, No. 3431) [Local Approval Received].

Norton,—
land.

By the same member, for the same committee, on a petition, a Bill relative to the geographic limits of fire district two in the town of South Hadley (House, No. 3485) [Local Approval Received].

South
Hadley,—
fire
district.

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

Emergency Measure.

The engrossed Bill providing for a certain exemption from the sales tax (see house bill printed as Senate, No. 156, 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.

Sales tax
holiday.

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 8 to 0. Sent to the Senate for concurrence.

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

Bill
enacted.

Engrossed Bill.

The engrossed Bill relative to the reorganization of the judicial system of the Commonwealth (see House, No. 3644) (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.

Judicial
system,—
reorganization.

Orders of the Day.

The House Bill establishing a business and economic development special revenue fund in the city of Marlborough (House, No. 1452), 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.

Order.

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

Next
sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at one minute before one o'clock P.M. (Friday, July 29), on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.