

JOURNAL OF THE HOUSE.

Wednesday, August 4, 2010.

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

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer. Gracious God, as we begin this morning's legislative session, in prayer we call upon You for guidance and direction as we examine and address the issues which are before us. We are grateful for Your blessings and assistance which enable us to make reasoned decisions and, thus, serve You and constituents in a faithful, honorable and respectful manner. In our diverse communities and society inspire us to unite people in seeking goals and proposing priorities which promote good will and the common good. In dialoguing with associates and constituents on sensitive and emotional issues teach us to be patient and good listeners so that there will be a meeting of minds and issues clarified. May we always remain faithful to our principles, belief and spiritual and human values.

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

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

Messages from the Governor — Bills Returned with Recommendation of Amendments.

Casino gaming. A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to expanded gaming in the Commonwealth (see House, No. 5000) (for message, see House, No. 5002) was filed in the office of the Clerk on Monday, August 2.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Pedone of Worcester, to the committee on Bills in the Third Reading.

Id. A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to expanded gaming in the Commonwealth (see House, No. 5001) (for message, see House, No. 5003) was filed in the office of the Clerk on Monday, August 2.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Pedone of Worcester, to the committee on Bills in the Third Reading.

Resolutions.

Resolutions (filed with the Clerk by Representatives Kujawski of Webster, Peterson of Grafton, Fernandes of Milford, Callahan of Sutton, Alicea of Charlton and Frost of Auburn) congratulating Senator Richard T. Moore on his election as President of the National Conference of State Legislatures, were referred, under Rule 85, to the committee on Rules.

Honorable Richard T. Moore.

Mr. Binienda of Worcester, for the committee on Rules, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Reports.

Reports From the Department of Transportation (under Section 149 of Chapter 25 of the Acts of 2009) transmitting a quarterly integration report containing RMV services, employee engagement and recognition programs, research in planning and operation and toll credits; and

Transportation Department,— integration reports.

The semi-annual report of the Insurance Fraud Bureau (pursuant to Section 1 (k) of Chapter 338 of the Acts of 1990) containing a spending and management plan for said office;

Insurance Fraud Bureau.

Severally were placed on file.

Petitions.

Mr. Koczera of New Bedford presented a petition (accompanied by bill, House, No. 4970) of Robert M. Koczera, Antonio F. D. Cabral, Stephen R. Canessa and John F. Quinn (with the approval of the mayor and city council) for legislation to place a certain question on the November ballot in the city of New Bedford; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

New Bedford,— ballot question.

Petitions severally were presented and referred as follows:

By Ms. Callahan of Sutton (by request), petition (subject to Joint Rule 12) of Lisa Shea for legislation to authorize patrons to bring wine beverages into restaurants holding a liquor license; and

Wine,— restaurants.

By Mr. Turner of Dennis, petition (subject to Joint Rule 12) of Cleon H. Turner for legislation to authorize additional retirement benefits for Paul J. Blanchette, Jr., for creditable service lost due to injury.

Paul J. Blanchette, Jr.— creditable service.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relating to anti-human trafficking and protection (Senate, No. 2589) (on Senate bill No. 58), passed to be engrossed by the Senate was read; and it was referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently.

Human trafficking.

Bills

Higher education. Relative to higher education (Senate, No. 2591) (which had been reported by the Senate committee on Ways and Means, under Senate Rule 19); and

Supplemental appropriations. Making appropriations for the fiscal year 2010 and fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2592) (which had been reported by the Senate committee on Ways and Means, under Senate Rule 19).

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

Reports of Committees.

Telecommunications, Utilities and Energy.—study. By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on House, Nos. 1152, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3085, 3086, 3088, 3089, 3090, 3091, 3092, 3093, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3104, 3105, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3118, 3120, 3121, 3122, 3123, 3125, 3126, 3127, 3128, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3511, 3512, 3513, 3514, 3762, 3764, 3765, 3766, 3849, 3850, 3851, 3982, 3983, 3984, 3985 and 3986, an Order relative to authorizing the committee on Telecommunications, Utilities and Energy to make an investigation and study of certain House documents concerning financial services (House, No. 4969).

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Emergency Measure.

Salem.—National Guard birthplace. The engrossed Bill designating the city of Salem as the birthplace of the National Guard (see House, No. 1145, 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 9 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed Bills

Bills re-enacted. Further regulating funeral processions (see Senate, No. 1884, amended) (which originated in the Senate); and

Relative to tuition retention at the University of Massachusetts at Amherst (see House, No. 4835, amended) (which originated in the House);

Severally having been returned by His Excellency the Governor with recommendations of amendments, having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be re-enacted, in their amended form; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Validating the actions taken at a certain town election in the town of Hopkinton (see House bill printed in House, No. 4893); and Bills enacted.

Validating the acts and proceedings of the special town election in the town of Wenham (see House bill printed in House, No. 4948); (Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted (more than two-thirds of the members having agreed to pass the same); and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Relative to the requirements for licensing as a real estate broker or salesman (see Senate, No. 121, amended); Bills enacted.

Relative to flea market vendors (see Senate, No. 2282, amended); (Which severally originated in the Senate);

Authorizing the Department of Transportation to erect certain signs regarding the Southwick Zoo (see House, No. 3213);

Designating a certain bike path in the town of Millbury as the Honorable Richard J. Dwinell Memorial Blackstone Valley Bike Path (see House, No. 3218, amended);

Authorizing the city of North Adams to use reserve funds to reduce debt (see House, No. 4851);

Relative to postpartum depression (see House, No. 4859, amended); Relative to the registration and inspection of street rods and custom vehicles (see House, No. 4871, amended);

Abolishing the board of public works in the town of Hopkinton (see House, No. 4882);

Authorizing the granting of licenses for the sale of wine at auctions (see House, No. 4908);

Protecting our natural resources (see House, No. 4943); and Relative to abandoned vessels (see House, No. 4953);

(Which severally originated in the House); Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Order.

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. Next sitting.

Accordingly, at twenty-one minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.