

JOURNAL OF THE HOUSE.

Thursday, August 12, 2010.

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).

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

Gracious God, for this and every day, our primary intention is to serve You, our families and our constituents in a faithful and honorable way. We look to You for assistance and guidance as we try to carry out our intention. We also look to You for direction as we organize our priorities and schedule for the day. In these times of political and economic change, we pray for reasonableness, patience, goodwill and a cooperative spirit as we dialogue together in addressing and resolving issues. Inspire us to seek goals which promote a respect for the dignity and rights of all individuals, equal opportunities for all and clearer understanding and implementation of the common good. May we try to unite all people in our communities to work together in resolving current issues and planning for the future of the Commonwealth.

Bestow Your blessings on the Speaker, the members and employees of this House and their families. Amen.

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.

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

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill further regulating non-renewal notices relative to motor vehicle liability insurance and fire insurance [see House, No. 959] (for message, see House, No. 4982) was filed in the office of the Clerk on Tuesday, August 10.

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.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the standard fire insurance policy [see House, No. 960] (for message, see House, No. 4983) was filed in the office of the Clerk on Tuesday, August 10.

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.

Tips,—
pooling.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the pooling of tips [see House, No. 4814, amended] (for message, see House, No. 4984) was filed in the office of the Clerk on Monday, August 9.

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.

Message from the Governor — Veto.

Southbridge,—
debt.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill authorizing the town of Southbridge to match debt repayment for school projects to the retirement of other outstanding debt [see House, No. 4695] (for message, see House, No. 4985), was filed in the office of the Clerk on Tuesday, August 10.

The message was read; and placed, under House Rule 12, in the Orders of the Day for the next sitting.

Communications.

Communications

Energy
program.
Electronic
weapons.

From the Secretary of Energy and Environmental Affairs and the Department of Utilities on the Energy Pay and Save Pilot Program; and From the Executive Office of Public Safety and Security submitting a summary of electronic weapons use in the Commonwealth; Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Boston,—
dog
fines.

By Mr. Scaccia of Boston, a petition (accompanied by bill House, No. 4986) of Thomas M. Menino (with the approval of the mayor and city council) relative to the collection of fines for violations of dog laws in the city of Boston. To the committee on the Judiciary.

South
Hadley,—
town
meeting.

By Mr. Scibak of South Hadley, a petition (accompanied by bill House, No. 4980) of John W. Scibak (by vote of the town) relative to revising the membership of town meeting of the town of South Hadley. To the committee on Municipalities and Regional Government.

Lowell,—
group
insurance.

By Mr. Murphy of Lowell, a petition (accompanied by bill House, No. 4981) of Kevin J. Murphy, Thomas A. Golden, Jr., and David M. Nangle (with the approval of the mayor and city council) that the city of Lowell be exempt from certain collective bargaining procedures in the purchase of group insurance policies for employees and retired employees of said city. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Representative Forry of Boston and Senator Hart presented a joint petition (subject to Joint Rule 12) of Linda Dorcena Forry and John A. Hart, Jr., for legislation to establish a sick leave bank for Imani Smith, an employee of the department of youth services; and the same was referred, under Rule 24, to the committee on Rules.

Imani
Smith,—
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 Sciortino of Medford, 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.

Representative Fernandes of Milford and Senator Moore presented a joint petition (subject to Joint Rule 12) of John V. Fernandes and Richard T. Moore for legislation to further regulate the licensing, operation and management of real estate management companies, and the same was referred, under Rule 24, to the committee on Rules.

Real estate
management
companies.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House for a second reading:

Clarifying the term “warehouse or other storage facility” (Senate, No. 1791);

Warehouses.

Exempting employees of the Department of Public Works in the town of Acushnet from the civil service law (House, No. 4939) [Local Approval Received]; and

Acushnet,—
public
works.

Improving lobster laws (House, No. 4951).

Lobster
laws.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 230, 236, 278, 295, 301 and 4313, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning consumer issues (House, No. 4975).

Consumer
Protection and
Professional
Licensure,—
study.

By Ms. Stanley of West Newbury, for the committee on Health Care Financing, on House, No. 4513, an Order relative to authorizing the committee on Health Care Financing to make an investigation and study of a certain House document concerning critical access hospitals (House, No. 4976).

Critical
hospitals,—
study.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 3916, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of a certain House document concerning funeral directors (House, No. 4978).

Funeral
directors,—
study.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 4716, an Order relative to authorizing the committee on State Administration and Regulatory

School bus
driver day,—
study.

Oversight to make an investigation and study of a certain House document (House, No. 4979).

Quincy,—
study.

By Mr. Wagner of Chicopee, for the committee on Transportation, on Senate, No. 2336, an Order relative to authorizing the committee on Transportation to make an investigation and study of a certain Senate document concerning the city of Quincy (House, No. 4977).

Severally 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, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Orders of the Day.

House bills

Third
reading
bills.

Exempting the deputy chief of police in the town of Sharon from the provisions of civil service law (House, No. 4853); and

Authorizing the town of Milford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4937);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and passed to be engrossed. Severally sent to the Senate for concurrence.

Edward A.
Driscoll,—
sick leave.

The House Bill establishing a sick leave bank for Edward A. Driscoll, an employee of the Trial Court (House, No. 4947) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by adding the following sentence "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court."

The amendment was adopted; and the bill (House, No. 4947, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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 eleven o'clock A.M.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (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.