

Monday, August 22, 2011.

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

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.

Guest of the House.

SFC Brian R. Bailey, U.S. Army.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced United States Army Sergeant First Class Brian R. Bailey, who was accompanied by his mother Rita, his father Carl and his son Brandon, and many family members and friends in the Gallery. Also in attendance and called to the Rostrum by the acting Speaker was Massachusetts National Guard Captain Brett Walker, under whom Sergeant Bailey had served with distinction and honor during extremely difficult and dangerous missions in both Afghanistan and Iraq.

The Chair then read and presented to Sergeant Bailey previously adopted Resolutions of the House of Representatives honoring him for his outstanding military service. Sergeant Bailey was the guest of Representatives Mariano of Quincy, Vallee of Franklin, Cusack of Braintree and the Speaker.

Petitions.

Annamarie Kineavy, sick leave.

Mr. Moran of Boston presented a petition (subject to Joint Rule 12) of Michael J. Moran for legislation to establish a sick leave bank for Annmarie Kineavy, an employee of the Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Pedone of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Salisbury, Morgan Square.

By Representative Costello of Newburyport and Senator Baddour, a joint petition (subject to Joint Rule 12) of Michael A. Costello and Steven A. Baddour for legislation to designate a certain portion of land in the town of Salisbury as the Reverend Thomas B. Morgan Square.

Real estate appraisers, licensing.

By Mr. Fernandes of Milford and Senator Moore, a joint petition (subject to Joint Rule 12) of John V. Fernandes and Richard T. Moore relative to the licensing of real estate appraisers.

By Mr. Fresolo of Worcester, a petition (subject to Joint Rule 12) of John P. Fresolo and others relative to motor vehicle surcharges.

Motor vehicle surcharges.

By Mr. Walsh of Boston, a petition (subject to Joint Rule 12) of Martin J. Walsh relative to community corrections.

Community corrections.

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

Papers from the Senate.

The House Bill establishing a sick leave bank for Lisa A. Sullivan, an employee of the Trial Court (House, No. 3249, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out in line 2, the second time it appears, the words "trial court" and inserting in place thereof the words "office of the commissioner of probation".

Lisa A. Sullivan, sick leave.

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.

A Bill establishing a sick leave bank for Michele Chandler, an employee of the Executive Office of Health and Human Services (Senate, No. 1968, amended in lines 6, 8 and 11 by striking out the word "Michelle" and inserting in place thereof, in each instance, the word "Michele"; and by striking out the title and inserting in place the following title: "An Act establishing a sick leave bank for Michele Chandler, an employee of the Executive Office of Health and Human Services.") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Michele Chandler, 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. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

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 petition of Paul McMurtry for legislation to authorize the Governor to designate an additional justice of the peace in the town of Westwood. Under suspension of the rules, on motion of Mr. Pedone of Worcester, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Westwood, justice of the peace.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill validating a certain vote taken by the town of Tewksbury (Senate, No 1909) [Local Approval Received], be scheduled for consideration by the House.

Tewksbury, election.

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

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

Real estate,—  
education.

Clarifying the continuing education requirements for real estate brokers and sales persons (House, No. 123, changed);

Rochester,—  
water supply.

Relative to the creation of a water supply system in the town of Rochester (House, No. 576) [Local Approval Received]; and

Municipal,—  
compensated  
absences.

Relative to compensated absences in cities and towns (House, No. 3666);

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

*Engrossed Bill.*

Gina  
Rossi,—  
sick leave  
bank.

The engrossed Bill establishing a sick leave bank for Gina Rossi, an employee of the Parole Board (see House, No. 3574), in respect to which the Senate had concurred in the adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

South Hadley,—  
District No. 2.

The House Bill relative to the geographic limits of District No. 2 in the town of South Hadley (House, No. 3485) (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 section:

“SECTION 2. This act shall take effect upon its passage.”

The amendment was adopted; and the bill (House, No. 3485, amended) was passed to engrossed. Sent to the Senate for concurrence.

West Tisbury,—  
liquor  
licenses.

The House Bill authorizing the town of West Tisbury to place a certain question on the ballot relative to the issuance of licenses for the sale of wines and malt beverages in restaurants, inns and hotels and the issuance of 1 day licenses for the sale of wines and malt beverages at events (House, No. 3454) (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.

Pending the question on passing the bill to be engrossed, Mr. Madden of Nantucket moved to amend it by substitution of a bill with the same title (House, No. 3687), which was read.

The amendment was adopted; and the substituted bill 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 Thursday next at eleven o'clock A.M.

Mr. Sánchez of Boston then moved that as a mark of respect to the memory of Stephen C. Davenport, a member of the House from Boston from 1961 to 1964, inclusive, and a member of the Senate from 1965 to 1968, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at nineteen 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 Thursday at eleven o'clock A.M., in an Informal Session.