

Tuesday, September 6, 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.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

John P. Cronin.

Resolutions (filed by Messrs. DeLeo of Winthrop and Keenan of Salem) honoring Judge John P. Cronin on the occasion of his retirement; and

James C. McConville.

Resolutions (filed by Mr. Vallee of Franklin) honoring Army Major General James C. McConville on the occasion of new appointment as Commander of the 101st Airborne Division;

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 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.

Petition.

Haverhill,—municipal elections.

Representative Dempsey of Haverhill and Senator Baddour presented a joint petition (accompanied by bill, House, No. 3705) of Brian S. Dempsey and Steven A. Baddour (with the approval of the mayor and city council) for legislation to authorize the clerk of the city of Haverhill to arrange the names of the candidates for municipal elective office by way of a random drawing; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Paper from the Senate.

Melrose,—housing properties.

A petition (accompanied by bill, Senate, No. 2004) of Katherine M. Clark and Thomas M. McGee (with the approval of the mayor and city council) for legislation relative to the transfer of certain properties from the Melrose housing authority to the Melrose affordable housing corporation, was referred, in concurrence, to the committee on Housing.

Reports of Committees.

Expanded gaming bill,—procedures.

Mr. Binienda of Worcester, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill establishing expanded gaming in the Commonwealth (House, No. 3702) (for order, see House, No. 3703). The order then was adopted.

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:

Relative to the eligibility of ward councilors-elect to assume office notwithstanding city charter residency restrictions (printed as Senate, No. 1936) [Local Approval Received]; and

Gardner,—councilors-elect.

Relative to vendor contracts (House, No. 5);

Vendor contracts.

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

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to establishing expanded gaming in the commonwealth (House, No. 3697), ought to pass with an amendment substituting a bill with the same title (House, No. 3702) [Representatives Balsler of Newton and Sciortino of Medford dissenting].

Expanded gaming.

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

Mr. Binienda of Worcester, for said committees, then reported that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and, pending the question on ordering the substituted bill (House, No. 3702) to a third reading, further consideration thereof was postponed, on motion of Mr. Miceli of Wilmington, until the following Thursday.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill authorizing the Division of Capital Management and Maintenance to grant an easement over an access road in Upton State Forest (House, No. 1149, changed in section 1, in line 6, by inserting after the word "Massachusetts" the words: ", and its tenants, licensees, successors and assigns"; and in line 10, by inserting after the word "tower" the words "for Industrial Tower and Wireless, LLC, and its tenants, licensees, successors and assigns"). Read; and referred, under Rule 33, to the committee on Ways and Means.

Upton State Forest,—land.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Bethany M. Tsiropoulos, an employee of the Massachusetts Rehabilitation Commission (see Senate, No. 2002), 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.

Bethany M. Tsiropoulos,—sick leave bank.

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.

Caron Parker,—
sick leave
bank.

The engrossed Bill establishing a sick leave bank for Caron Parker, an employee of the Department of Revenue (see Senate, No. 2003), 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 7 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Engrossed bills

Bills enacted.

Exempting certain positions in the town of Shrewsbury from the civil service law (see Senate, No. 1937) (which originated in the Senate); and

Relative to derivative activities of state banks (see House, No. 303) (which 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.

Orders of the Day.

Senate bills

Third reading bills.

Validating a certain vote taken by the town of Tewksbury (Senate, No. 1909); and

Amending the charter of the city of Malden (Senate, No. 1923, amended);

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

House bills

Id.

Relative to the town of Burlington representative town meeting form of government (House, No. 3501); and

Exempting the position of inspector of buildings, also known as the building commissioner, of the town of Natick from the civil service law (House, No. 3507) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Annamarie Kineavy,—
sick leave.

The House Bill establishing a sick leave bank for Annmarie Kineavy, an employee of the Massachusetts Department of Transportation (House, No. 3691), reported by the committee on Bills in the Third Reading 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 inserting before the enacting clause the following emergency preamble:—

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the Massachusetts Department of Transportation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 3691, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

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. Next sitting.

At twenty-six minutes before twelve o'clock noon., on motion of Ms. Provost of Somerville (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.