

Wednesday, September 16, 2009.

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).

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.

Appointments to Commissions.

The Speaker announced the following appointments to special commissions:

That Representative Scibak of South Hadley had been appointed to the special commission established (under Chapter 7 of the Resolves of 2008) for the purpose of making an investigation and study relative to the economy in order to create and maintain quality jobs in the Commonwealth; Economy,— job creation study.

That Representative Walz of Boston had been appointed to the Charles River Water Quality Commission established (under Chapter 498 of the Acts of 2008) to make an investigation and study relative to improving the conditions necessary to, and determining the feasibility of, bringing the water quality in the Charles River lower basin to a level safe for swimming; and Charles River Water Quality.

That Representative Donato of Medford had been appointed to the Regionalization Advisory Commission established (under Chapter 60 of the Acts of 2009) to review all aspects of regionalization including possible opportunities, benefits and challenges to regionalizing services within the Commonwealth. Regionalization Advisory Commission.

Resolutions.

Resolutions (filed with the Clerk by Mr. Fagan of Taunton) congratulating James A. Casey on the occasion of his retirement, were referred, under Rule 85, to the committee on Rules. James A. Casey.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Linsky of Natick, 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
Of the Department of Early Education and Care (under Section 85 of Chapter 215 of the Acts of 2008) on the capacity of the early care and education system; Early education.

Of the Division of Administrative Law Appeals (under Section 4H of Chapter 7 of the General Laws) submitting the annual report for the calendar year 2008; and Administrative Law Appeals.

UMass Medical School,— pre-construction.

Of the University of Massachusetts Building Authority (under item 7002-0015 of Section 2B of Chapter 130 of the Acts of 2008) submitting a revised pre-construction report on the Albert Sherman Center Project at the University of Massachusetts Medical School at Worcester; Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Montague,— liquor license.

By Mr. Kulik of Worthington, petition (accompanied by bill, House, No. 4240) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) that the town of Montague be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Yarmouth,— ballot questions.

By Mr. Turner of Dennis, petition (accompanied by bill, House, No. 4243) of Cleon H. Turner, Robert A. O'Leary and Demetrius Atsalis (by vote of the town) relative to providing for information to ballot questions in the town of Yarmouth. To the committee on Election Laws.

Brockton,— power plant.

By Mr. Brady of Brockton, petition (accompanied by bill, House, No. 4241) of Michael D. Brady, Christine E. Canavan and others (with the approval of the mayor and city council) for legislation to authorize the city of Brockton to prevent the siting of a power plant in said city;

Dalton,— Redevelopment Authority.

By Mr. Guyer of Dalton, petition (accompanied by bill, House, No. 4242) of Denis E. Guyer and Benjamin B. Downing (by vote of the town) relative to the appointment of members of the redevelopment authority in the town of Dalton; and

Dennis,— borrow funds.

By Mr. Turner of Dennis, petition (accompanied by bill, House, No. 4244) of Cleon H. Turner and Robert A. O'Leary (by vote of the town) that the town of Dennis be authorized to borrow in anticipation of reimbursement from betterments to said town.

Severally to the committee on Municipalities and Regional Government.

Dennis,— shellfish mitigation.

By Mr. Turner of Dennis, petition (accompanied by bill, House, No. 4245) of Cleon H. Turner and Robert A. O'Leary (by vote of the town) that the town of Dennis be authorized to establish a shellfish mitigation fund for said town. To the committee on Environment, Natural Resources and Agriculture.

Newton,— fire apparatus mechanic.

By Mr. Koutoujian of Waltham, petition (accompanied by bill, House, No. 4239) of Peter J. Koutoujian, Ruth B. Balsler and others (with the approval of the mayor and city council) relative to the retirement reclassification of the fire apparatus mechanic in the city of Newton. To the committee on Public Service. Severally sent to the Senate for concurrence.

Papers from the Senate.

Water Resources Authority.

A report of the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1521) of Michael W. Morrissey for legislation relative to the Massachusetts Water Resources Authority, and recommending that the same be referred to the committee on

Consumer Protection and Professional Licensure,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

A petition (accompanied by bill, Senate, No. 2150) of Anthony W. Petrucci (by vote of the town) for legislation to authorize a ballot question relative to alcoholic beverage licenses in the town of Winthrop, was referred, in concurrence, to the committee on Election Laws.

Winthrop,— liquor license.

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:

Petition (accompanied by bill) Christopher J. Donelan and James R. Miceli for legislation to establish a manufactured homes commission. To the committee on Housing.

Manufactured homes commission.

Petition (accompanied by bill) of Thomas M. Stanley for legislation to establish a sick leave bank for Michael Jordan, an employee of the Trial Court. To the committee on the Judiciary.

Michael Jordan,— sick leave bank.

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

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, asking to be discharged from further consideration

Of so much of the recommendations of the Commission on Uniform State Laws (House, No. 86) as relates to revising the Uniform Arbitration Act for commercial disputes (accompanied by bill, House, No. 91); and

Commercial disputes.

Of so much of the recommendations of the Commission on Uniform State Laws (House, No. 86) as relates to making uniform certain aspects of mediation (accompanied by bill, House, No. 94);

Mediation.

And recommending that the same severally be referred to the committee on the Judiciary; and

Of so much of the recommendations of the Executive Office of Labor and Workforce Development (House, No. 16) as relates to making technical amendments regarding the Division of Labor Relations within the Department of Labor (accompanied by bill, House, No. 24); and

Division of Labor Relations.

Of so much of the recommendations of the Executive Office of Labor and Workforce Development (House, No. 16) as relates to improving efficiencies, containing costs, streamlining processes, and enhancing processing service delivery within said office (accompanied by bill, House, No. 26);

Labor and Workforce Development.

And recommending that the same severally be referred to the committee on State Administration and Regulatory Oversight.

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

Safe driving. By Mr. Wagner of Chicopee, for the committee on Transportation, Senate, Nos. 1901 and 1929 and House, No. 3287, a Bill relative to safe driving (House, No. 4238). Read; and referred, under Rule 33, to the committee on Ways and Means.

Anti-gang injunction. By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to anti-gang injunctions (House, No. 1582). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Autism. Establishing an autism commission (House, No. 155);
Schools. Relative to school improvement plans (House, No. 424);
Concord. Relative to the historic districts commission of the town of Concord (House, No. 632);

Reprecincting. Relative to reprecincting (House, No. 678);
Milton. Authorizing the lease of a certain parcel of land to the town of Milton (House, No. 846);

Legal insurance. Relative to liquor legal liability insurance (House, No. 947);
Contracts. Relative to qualified financial contracts (House, No. 993)
Saugus. Authorizing the town of Saugus to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 1120);

Douglas. Establishing a town administrator and a municipal finance department in the town of Douglas (House, No. 1894);

Winchester. Authorizing the town of Winchester to issue five licenses for the sale of all alcoholic beverages to be drunk on the premises for restaurants containing seventy or more seats (House, No. 1905);

Tisbury. Authorizing the board of selectman in the town of Tisbury to grant licenses for the sale of beer and wine in restaurants, inns and hotels (House, No. 1907);

Hopkinton. Relative to election of the members of the board of public works of the town of Hopkinton (House, No. 1909);

Hadley. To establish a department of public works in the town of Hadley (House, No. 1913);

Jocelyn Burns. Establishing a sick leave bank for Jocelyn Burns, an employee of the Trial Court (House, No. 1914);

Cambridge. Relative to the provision of services to the city of Cambridge by the Cambridge Energy Alliance (House, No. 1916);

Revere,—car rentals. Protecting the city of Revere's vehicular rental surcharge from the opening of the consolidated rental car facility at Logan International Airport (House, No. 3709, changed);

Chatham. Relative to the development of certain town land in the town of Chatham (House, No. 3823);

Orleans. Relative to the charter of the town of Orleans (House, No. 4086);

Presidential election. Relative to the agreement among the states to elect the President by national popular vote (House, No. 4156);

Real estate brokers. Clarifying the continuing education requirements for real estate brokers and sales persons (House, No. 4169);

Relative to the maximum storage charges on motor vehicles involuntarily towed (House, No. 4171);

Authorizing the board of assessors of the town of Newbury to grant a real estate tax abatement (House, No. 4200); and

Authorizing the town of Harwich to convey certain recreational land (House, No. 4208);

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Moran of Boston, for the committee on Election Laws, on House, No. 656, a Bill relative to filling a temporary vacancy in the United States Senate (House, No. 4246) [Senators Hart and Brown; and Representatives Kujawski of Webster, Ashe of Longmeadow, Frost of Auburn and Jones of North Reading, dissenting]. 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; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed bills

Authorizing the town of Natick to sell or lease certain property (see House, No. 3705); and

Authorizing the odd-numbered board of library trustees not to exceed 9 members in the town of Boxford (see House, No. 3707); (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.

Orders of the Day.

The House Bill establishing the Center Pond restoration and protection district in the town of Becket (House, No. 3701), 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.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Ms. Wolf of Cambridge (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-five minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

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.

At twenty-six minutes after one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.