

JOURNAL OF THE HOUSE.

Monday, September 27, 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).

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.

Resolutions.

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

Resolutions (filed by Mr. DeLeo of Winthrop and other members of the House) recognizing National Alcohol and Drug Addiction Recovery Month; Addiction
recovery.

Resolutions (filed by Mr. Arciero of Westford) congratulating Dr. Diane Bemis on the occasion of her retirement from the town of Littleton school district; and Diane
Bemis.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) honoring the memory of Corporal Richard B. Rinehart through the dedication of the Richard B. Rinehart Square in the town of Natick; Richard B.
Rinehart.

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 Mr. Sciortino of Medford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

A Bill establishing a sick leave bank for Barbara Sereda, an employee of the Department of Transitional Assistance (Senate, No. 2624) (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. Barbara
Sereda,—
sick leave
bank.

Reports of Committees.

By Ms. Stanley of West Newbury, for the committee on Health Care Financing, on Senate, Nos. 83, 495, 559, 865, 873, 954, 1201, 2099, 2271, 2299, 2319 and 2330, an Order authorizing the committee on Health Care Financing to make an investigation and study of certain Senate documents concerning home care accountability, public safety testing, and personal care attendants (House, No. 5029). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Health Care
Financing,—
study.

Subsequently, Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the

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.

Richard
Maypoter, Jr.,—
sick leave.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Richard Maypoter, Jr., an employee of the department of corrections (House, No. 5017). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Bills
re-enacted.

Designating a certain bike path access area in the town of Millbury as the Honorable Richard J. Dwinell Blackstone Valley Memorial Access Area (see House, No. 3218, amended); and
Relative to time-share ownership (see House, No. 4803, amended);
(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 re-enacted, in their amended form; and they were signed by the acting Speaker and sent to the Senate.

Engrossed bills

Bills
enacted.

Authorizing property tax exemption for certain small sheds and out-buildings in the town of Carver (see Senate, No. 2255);

Designating a certain bridge in the town of Mansfield as the Sergeant Douglas Weddleton Memorial Bridge (see Senate, No. 2528);
(Which severally originated in the Senate);

Designating the State Transportation Library as the George M. Sanborn Library (see House, No. 3266, amended); and

Authorizing the town of Clinton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4734, amended);
(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 it were signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Murphy of Burlington (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at the hour of two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Supplemental
and deficiency
appropriations.

By Mr. Murphy of Burlington, for the committee on Ways and Means, on a part of House, No. 4841 and on a part of House, No. 4868, a Bill making appropriations for the Fiscal Years 2010 and 2011 to provide for supplementing certain existing appropriations and for

certain other activities and projects (House, No. 5028) [Total Appropriation: \$231,347,260.00] [Representatives Polito of Shrewsbury and Webster of Pembroke, dissenting]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House.

Mr. Peterson of Grafton thereupon raised a point of order that the committee on Ways and Means had violated House Rule 21, in that it had not made available to the members a report which includes an explanation of any increase or decrease of five percent or more which results in an increase or decrease of one million dollars or more for any item for which the Governor has made a recommendation, and an explanation for the deletion of an item recommended by the Governor, and for the addition of an item for which the Governor has made no recommendation, as required by said rule.

In answer to the point of order, the Chair (Mr. Donato of Medford) stated that it was not within the province of the Chair to inquire into the internal workings of committees.

Mr. Peterson thereupon doubted the ruling of the Chair; and the appeal was seconded by Ms. Polito of Shrewsbury. The ruling of the Chair then was sustained.

Ms. Polito then asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato) determined that a quorum was not in attendance, and, since a quorum was not present, the previous vote (on sustaining the ruling of the Chair) must be declared void. Under House Rule 82, the Chair at one minutes after two o'clock P.M., declared an adjournment of the House, until the next day at eleven o'clock A.M., in an Informal Session.

Point of
order.

Quorum.