

Thursday, September 29, 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:

Henry Wilson. Theresa Fernandez Montiro.

Resolutions (filed by Ms. Peisch of Wellesley) honoring the two hundredth birthday anniversary of Henry Wilson; and

Resolutions (filed by Mr. Turner of Dennis) congratulating Theresa Fernandez Montiro on the occasion of her ninetieth birthday;

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

Communication.

M.C.I.-Cedar Junction,—public health violations.

A communication from the Superintendent of M.C.I.-Cedar Junction in Walpole in response to a request for an estimated completion time for rectifying certain public health violations identified at said institution by the Department of Public Health (pursuant to the provisions of sections 5, 20 and 21 of Chapter 111 of the General Laws), was placed on file.

Special Report.

Climate change regulations.

A report of the Executive Office of Energy and Environmental Affairs (under the provisions of Section 5 of Chapter 298 of the Acts of 2008) regarding the implementation of regulations relative to climate change in the Commonwealth, was placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Chelmsford,—recalls.

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3728) of Thomas A. Golden, Jr., and others (by vote of the town) relative to amending the charter of the town of Chelmsford relative to the recall of elected officers. To the committee on Election Laws.

Lawrence,—illegal dumping.

By Mr. Devers of Lawrence, a petition (accompanied by bill, House, No. 3729) of Marcos A. Devers and others (with the approval of the mayor and city council) for legislation to authorize the city of Lawrence to establish a program for enforcement against illegal dumping. To the committee on the Judiciary.

Severally sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Barrows of Mansfield and Senator Timilty, a joint petition (subject to Joint Rule 12) of F. Jay Barrows and James E. Timilty for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to said town for housing purposes.

Foxborough,—land.

By Mr. Finn of West Springfield and Senator Welch, a joint petition (subject to Joint Rule 12) of Michael J. Finn and James T. Welch relative to vehicular homicide while under the influence of an intoxicating substance.

Motor vehicle homicide.

By Mr. Jones of North Reading and Senator Tarr, a joint petition (subject to Joint Rule 12) of Bradley H. Jones, Jr., Bruce E. Tarr and others relative to competitively solicited proposals from renewable energy developers.

Renewable energy,—proposals.

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

Paper from the Senate.

A petition of Thomas P. Kennedy, Bruce E. Tarr, Richard T. Moore, Michael R. Knapik and other members of the Genera Court for legislation relative to real estate tax abatements, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Revenue.

Real estate tax abatements.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2027) was referred, in concurrence, to the committee on Revenue.

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 Garrett J. Bradley relative to civil action for the sale, delivery or furnishing of alcoholic beverages to persons under the age of twenty-one. Under suspension of the rules, on motion of Mr. Mariano of Quincy, 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.

Underage drinking.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, Nos. 321 and 2065, a Bill relative to the treatment of cleft palate and cleft lip (House, No. 2065). Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Cleft palate and lip,—treatment.

By Mr. Costello of Newburyport, for the committee on Financial Services, on House, No. 1195, a Bill authorizing certain licensees of the Division of Banks to participate in a multi-state licensing system (House, No. 3727). Read; and referred, under Rule 33, to the committee on Ways and Means.

Banks,—licensing.

By Ms. Gobi of Spencer, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to environmental performance standards for plumbing fixtures (House, No. 231,

Plumbing fixtures,—standards.

Plumbing fixtures,— standards.

changed in section 2, in line 44, by striking out the word "subsection" and inserting in place the word "section"; in line 48 and also in line 58, by striking out the figures "1.28" and inserting in place, in each instance, the figures "1.6"; in line 50, by striking out the year "2011" and inserting in place the year "2012"; in line 52, by striking out the following: "A112.19.2-2008, or A112.19.14-2006" and inserting in place the following: "A112.19.2, or A112.19.14"; in line 56, by inserting after the word "Engineers" the word "with"; in line 82 and also in line 84, by striking out the figures "2006"; and in lines 98 to 103, inclusive, by striking out the two paragraphs contained in those lines). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Emergency Measure.*

Donna Jean Kelly,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Donna Jean Kelly, an employee of the trial court (see Senate, No. 2013), 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 5 to 0. Sent to the Senate for concurrence.

*Engrossed Bill.*

Bill enacted.

The engrossed Bill establishing a business and economic development special revenue fund in the city of Marlborough (see House, No. 1452, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Third reading bills.

*Senate bills*

Increasing the membership of the Massachusetts Fire Training Council (Senate, No. 1188) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Stephen Thomas, an employee of the Department of Correction (Senate, No. 2014);

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

Id.

*House bills*

Relative to eligibility of ward councilors-elect in the city of Gardner to assume office (printed as Senate, No. 1936) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the city of Medford to increase fees for special details performed by public employees in the city (House, No. 3530) (its title having been changed by the committee on Bills in the Third Reading); and

Designating a portion of land in the town of Salisbury as the Reverend Thomas B. Morgan square (House, No. 3713);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 Monday next at eleven o'clock A.M. Next sitting.

Mr. Markey of Dartmouth then moved that as a mark of respect to the memory of Roger L. Tougas, a member of the House from Dartmouth from 1980 to 1988, inclusive, the House adjourn; and the motion prevailed.  
Accordingly, at thirteen minutes after eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (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.