

JOURNAL OF THE HOUSE.

Monday, October 25, 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).

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:

Deborah M.
Kaup.

Resolutions (filed by Messrs. Hecht of Watertown and Koutoujian of Waltham) recognizing Deborah M. Kaup for her dedicated and outstanding service as the director of the Watertown Food Pantry;

Keith
Michael
Flumere.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) commemorating the dedication of the Keith Michael Flumere Square in the town of Natick; and

Peter L.
McDowell.

Resolutions (filed by Mr. Turner of Dennis) honoring Peter L. McDowell for more than forty years of service to Cape Cod and the Commonwealth;

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

Communications.

Health Care
Security
Trust.

A communication from the Board of Trustees of the Health Care Security Trust (under Section 4(a) of Chapter 29D of the General Laws) submitting amendments to the Operating Trust Agreement of said board (House, No. 5057), was referred to the committee on Health Care Financing. Sent to the Senate for concurrence.

PERAC,—
rules and
regulations.

A communication from the Public Employee Retirement Administration (under Section 50 of Chapter 7 of the General Laws) submitting rules and regulations governing retirement of public employees in the Commonwealth (House, No. 5058), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Communications

Health Care
Quality and
Cost Council.

From the Health Care Quality and Cost Council (established by Chapter 58 of the Acts of 2006) submitting its three year plan for reporting on the website "MyHealthCareOptions"; and

Department of
Transportation.

From the Massachusetts Department of Transportation (pursuant to Section 12 of Chapter 86 of the Acts of 2008 and Section 18 of Chapter 233 of the Acts of 2008) transmitting quarterly reports containing

periodic and substantial completion estimates submitted pursuant to section 39G of Chapter 30 of the General Laws and listing certain dates in relation to projects under the control of said department; Severally were placed on file.

Annual Reports.

Annual reports

Of the Merrimack Valley Regional Transit Authority (under the provisions of Chapter 161B of the General Laws) for the fiscal year 2010; and

Merrimack
Valley Transit
Authority.

Of the State Ethics Commission (under the provisions of Section 2 (1) of Chapter 268B of the General Laws) for the fiscal year 2010; Severally were placed on file.

Ethics
Commission.

Reports of Committees.

Report of the committee on Elder Affairs, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 542) of Elizabeth A. Poirier and others relative to establishing multi-disciplinary teams with district attorneys to investigate elder abuse.

Elder abuse
investigation.

Under suspension of the rules, on a motion of Ms. Wolf of Cambridge, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on further motion of the same member.

Mr. Binienda of Worcester, for the committee on Rules, on the Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain House documents concerning municipalities (House, No. 5019) reported, in part, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1918) of William G. Greene, Jr., and Kenneth J. Donnelly (by vote of the town) relative to establishing a special account for the town of Billerica water conservation fund,— and recommending that the same be recommitted to the committee on Municipalities and Regional Government. Under Rule 42, the report was considered forthwith; and it was accepted.

Billerica,—
water
conservation
fund.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a petition, a Bill amending the charter of the town of Eastham (House, No. 5043) [Local Approval Received].

Eastham,—
charter.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Eastham to provide for the appointment of the town treasurer/collector (House, No. 5044) [Local Approval Received].

Id.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Meridyth L. Reith, an employee of the Department of Environmental Protection (see House, No. 4575), 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.

Meridyth L.
Reith.

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 8 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Barbara Sereda, an employee of the Department of Transitional Assistance (see Senate, No. 2624), (which originated in the Senate), 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.

Third
reading
bills.

There being no objection,— House bills
Relative to the position of chief of police in the town of Belmont (House, No. 4416) (its title having been changed by the committee on Bills in the Third Reading);

Relative to the room occupancy tax in the town of Provincetown (House, No. 4653); and

Establishing a sick leave bank for Nannette Bradley, an employee of the Department of Children and Families (House, No. 5047);

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.

Former
Representative
Paul Murphy.

Motion for Special Memorial Adjournment.

Messrs. Walsh of Boston and Basile of Boston then moved that when the House adjourns today, it do so in respect to the memory of Paul Murphy, a member of the House from Boston (Dorchester) from 1963 to 1972, inclusive, and former Chief Justice of the West Roxbury District Court; and the motion prevailed.

Orders of the Day.

Transitional
assistance,—
fraud.

The engrossed Bill prohibiting fraud and misapplication of Department of Transitional Assistance funds (see House, No. 4830), which had been contained in Section 11 of the General Appropriation Bill (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment specified by him (for message, see House, No. 4840), was considered.

The committee on Bills in the Third Reading offered a special report.

Prior to the reading of the special report of the committee on Bills in the Third Reading, Mrs. Poirier of North Attleborough asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato of Medford) determined that a quorum was not in attendance, and, since a quorum was not present, under House Rule 82, the Chair, at twenty-one minutes after eleven o'clock A.M., declared an adjournment of the House, until the following Thursday at eleven o'clock A.M., in an Informal Session. Quorum.