

JOURNAL OF THE HOUSE.

Monday, November 1, 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.

Appointments of the Speaker.

The Speaker announced that he had made the following appointments:

Forested lands.

That Representative Kulik of Worthington had been designated to serve with Representative Straus of Mattapoisett on the special commission established (under Chapter 8 of the Resolves of 2008) for the purpose of conducting an investigation and study of innovative methods for funding the conservation of forested wildlands and woodlands owned and managed by public and nonprofit organizations and by private individuals and organizations.

Sheriff's offices.

That Representatives Costello of Newburyport and Walsh of Lynn had been designated to serve on the special commission established (under Section 22 of Chapter 61 of the Acts of 2009) for the purpose of making an investigation and study relative to the reorganization or consolidation of sheriffs' offices, to make formal recommendations regarding such reorganization or consolidation and to recommend legislation, if any, to effectuate such recommendations relating to the reorganization, consolidation, operation, administration, regulation, governance and finances of sheriffs' offices.

Food Policy Council.

That Representative Kulik of Worthington had been designated to serve as his appointee to the Massachusetts Food Policy Council established (under Chapter 277 of the Acts of 2010) to develop recommendations to advance the food system goals for the Commonwealth.

Resolutions.

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

Joanie Sutherland.

Resolutions (filed by Mr. Atsalis of Barnstable) congratulating Joanie Sutherland on the occasion of her retirement;

Paul D. Brodeur.

Resolutions (filed by Messrs. Madden of Nantucket and Patrick of Falmouth) honoring Paul D. Brodeur on the occasion of his retirement from the Falmouth Fire Rescue Department; and

Jackson Paul Renaud.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Jackson Paul Renaud on receiving the Eagle Award of the Boy Scouts of America;

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.

Annual Reports.

Annual reports

Of the Department of Correction (under Section 16 of Chapter 123A of the General Laws) relative to sexually dangerous persons for the year 2010;

Sex offenders.

Of the Economic Assistant Coordinating Council and the Economic Development Incentive Program (under Section 3C (3) of Chapter 23A of the General Laws) relative to the operations and accomplishments of the program; and

Economic Development Incentive Program.

Of the Life Sciences Center (under Section 15 of Chapter 231 of the General Laws) relative to job creation and scientific advancements;

Life Sciences Center.

Severally were spread upon the records of the House; and placed on file.

Paper from the Senate.

The House Bill establishing a post employment benefits trust fund in the town of Wayland (House, No. 5005) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2642.

Wayland,—benefits trust fund.

Under suspension of Rule 35, on motion of Mr. Conroy of Wayland, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Elise Lachance, an employee of the Department of Correction (see House, No. 4710), 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.

Elise Lachance,—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 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Hubbardston to send certain information to the voters relative to ballot questions (see Senate, No. 2090, amended) (which originated in the Senate); and

Bills enacted.

Authorizing the town of Dennis to borrow in anticipation of reimbursements from betterments assessed (see House, No. 4244, amended); and

Authorizing the town of Seekonk to convert certain seasonal licenses for the sale of all alcoholic beverages or for the sale of wines and malt beverages to be drunk on the premises to annual licenses for such sale (see House, No. 4518, 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.

*Motion to Discharge a Certain Matter  
in the Orders of the Day.*

Sudbury,—  
wireless  
contracts.

Before proceeding to consideration of the Orders of the Day, Mr. Conroy of Wayland moved that the engrossed Bill authorizing the town of Sudbury to enter into and to extend wireless facility contracts or leases for periods in excess of twenty years (see House, No. 4715) (which had been returned to the House by His Excellency the Governor with recommendation of amendment) (for message see House, No. 5009), be discharged from its position therein and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The amendment recommended by His Excellency then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

In section 2 (as engrossed) by inserting after the following "re-bidding under said chapter 30B" the words "; provided, however, that the terms of the leases shall allow the town, at its sole discretion, to acquire said wireless service facilities at the depreciated cost" .

*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.

Quorum.

Prior to the reading of the special report of the committee on Bills in the Third Reading, Mr. Frost of Auburn 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, under House Rule 82, the Chair, at fifteen minutes after eleven o'clock, declared an adjournment of the House, until the following Thursday at eleven o'clock A.M., in an Informal Session.