

## JOURNAL OF THE HOUSE.

Monday, November 29, 2010.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Kafka of Stoughton 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. Kafka), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Papers from the Senate.*

Estate of  
homestead.

The Senate Bill relative to the estate of homestead (Senate, No. 2406), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4878, amended) with further amendments in section 1, in line 72, striking out the words "and levy" and inserting place thereof the words ", levy and sale for payment of debts and legacies", and, in line 126, striking out the following "3 and" and inserting in place thereof the following "subsection (a) of section 3 and section"; and striking out section 4.

Under suspension of Rule 35, on motion of Mr. Koczera of New Bedford, the further amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

School  
principals.

The House Bill providing equity for school principals (House, No. 371, changed) 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 following:

"The second paragraph of section 41 of chapter 71 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— School principals, by whatever title their position may be known, shall not be represented in collective bargaining, but every principal shall meet and discuss individually the terms and conditions of the principal's employment in the principal's school district with such district's superintendent or the superintendent's designee at a time to be determined by the superintendent and may be represented by an attorney or other representative; provided, however, that the meeting may be waived if the principal and superintendent consent."

Under suspension of Rule 35, on motion of Mr. Fagan of Taunton, 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.

Littleton,—  
light  
department.

The House Bill relative to the town of Littleton electric light department (House, No. 4741) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out section 1 and inserting in place thereof the following section:

"SECTION 1. Notwithstanding section 129C of chapter 149 of the General Laws, lineworkers employed by the town of Littleton electric light department and other qualified persons, as determined by the department, may work on live wires, electrical equipment or other energized conductors up to 25,000 volts phase-to-phase or 14,400 volts phase-to-ground directly with rubber gloves, when de-energizing is not feasible and only when following the applicable provisions of the most recent American Public Power Association Safety Manual, concerning proper safe work practices, personal protective equipment and clothing."

Under suspension of Rule 35, on motion of Mr. Koczera of New Bedford, 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.

### *Bills*

Authorizing underage law enforcement agents to participate in selective liquor enforcement programs (Senate, No. 172) (on a petition); and

Liquor  
enforcement.

Amending the charter of the town of Middleborough (Senate, No. 2617) (on a petition) [Local Approval Received];

Middle-  
borough,—  
town  
charter.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2656) of Therese Murray (by vote of the town) for legislation to authorize the appointment of Drew Lonergan as a police officer in the town of Bourne, was referred, in concurrence, to the committee on Public Service.

Drew  
Lonergan,—  
appointment.

### *Reports of Committees.*

Mr. Walsh of Boston presented a petition (subject to Joint Rule 12) of Martin J. Walsh for legislation to establish a sick leave bank for Doreen Edwards, an employee of the Boston Municipal Court; and the same was referred, under Rule 24, to the committee on Rules.

Doreen  
Edwards,—  
sick leave  
bank.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Rushing of Boston, 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.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Brian C. Linehan, an employee of the Department of Revenue (House, No. 5067). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brian  
Linehan,—  
sick leave  
bank.

Mr. Kafka of Stoughton, for said committee then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Dykma of Holliston, the bill was read a second time forthwith; and it was ordered to a third reading.

North Reading,— town meeting.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill changing the date of the annual town meeting in the town of North Reading (House, No. 5070) [Local Approval Received] be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Sullivan of Fall River, the bill was read a second time forthwith; and it was ordered to a third reading.

Tanya Robideau,— sick leave bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Tanya Robideau, an employee of the Massachusetts Department of Corrections (House, No. 5079) be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Ms. Clark of Melrose, the bill was read a second time forthwith; and it was ordered to a third reading.

Maurice Jandreau,— sick leave bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Maurice Jandreau (House, No. 5083) be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Fagan of Taunton, the bill was read a second time forthwith; and it was ordered to a third reading.

Consumer Protection and Professional Licensure,— study.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 238, 239, 244, 259, 261, 267, 284, 314, 323, 3863, 3865 and 3870, an Order relative to authorizing the committee on Consumer Protection and Professional Licensure to make an investigation and study of certain House documents concerning banking, credit card and gift card issues (House, No. 5089). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. 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.

*Motions to Discharge Certain Matters in the Orders of the Day.*

The following Senate bills were discharged from their position in the Orders of the Day and considered forthwith, under suspension of the Rule 47, in each instance, on motion of Mr. Kozcera of New Bedford:

“Warehouser”.

Clarifying the term “warehouser or other storage facility” (Senate, No. 1791);

Carver,— funds.

Authorizing the town of Carver to divert funds from the conservation fund (Senate, No. 2095);

Carver,— property taxes.

Relative to payment of property taxes in the town of Carver (Senate, No. 2145); and

Relative to the position of appointed treasurer-collector in the town of Florida (Senate, No. 2551);

Florida,— treasurer.

The bills, severally having been 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.

The following Senate bills were discharged from their position in the Orders of the Day and considered forthwith, under suspension of the Rule 47, in each instance, on motion of Ms. Dykema of Holliston:

Charlemont and Hawley.

Changing the boundary line between Charlemont and Hawley (Senate, No. 2628); and

Melrose,— debt service.

Authorizing the city of Melrose to appropriate funds from the Mount Hood Memorial Park and Golf Course Enterprise Fund to pay certain debt service (Senate, No. 2637);

The bills, severally having been 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.

The House Bill relative to apprentice training (House, No. 4580) was discharged from its position in the Orders of the Day, and considered forthwith, under suspension of Rule 47, on motion of Ms. Dykema of Holliston.

Apprentice training.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. 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 Thursday next at eleven o'clock A.M.

Next sitting.

Mr. Fallon of Malden then moved that as a mark of respect to the memory of James V. DiPaola, a member of the House from Malden from 1993 to 1996, inclusive, and Sheriff of Middlesex County from 1996 to 2010, the House adjourn; and the motion prevailed. At twenty minutes before twelve o'clock noon, on motion of Mr. Fagan of Taunton (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.