

JOURNAL OF THE HOUSE.

Friday, December 3, 2010.

Met at a quarter after ten o'clock A.M., in an Informal Session, with Mrs. Haddad of Somerset 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 (Mrs. Haddad), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Petitions.

General Court,—restrictions.

Representatives Callahan of Sutton and D'Amico of Seekonk presented a petition (subject to Joint Rule 12) of Jennifer M. Callahan and Steven J. D'Amico that members of the General Court be prohibited from recommending the employment or appointment of any person to certain governmental positions; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Cheryl A. Cole,—sick leave bank.

The House Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Department of Health and Human Services (House, No. 4921) came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2622; striking out the emergency preamble and inserting in place thereof the following:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the office of Medicaid, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."; and striking out the title and inserting in place thereof the following title: "An Act establishing a sick leave bank for Cheryl A. Cole, an employee of the office of Medicaid."

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

Bills

Barnstable,—sewer fund.

Establishing a sewer construction fund for the town of Barnstable (Senate, No. 2603) (on a petition) [Local Approval Received]; and

Quincy,—property taxes.

Authorizing the city of Quincy to exempt certain fiscal year 2010 real property taxes (Senate, No. 2639, amended in line 4 by inserting after the word "Wright" the following ", a 100 per cent disabled veteran, notwithstanding Mr. Wright's failure to timely file his application for such exemption") (on a petition) [Local Approval Received];

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. 2657) of Bruce E. Tarr and Ann-Margaret Ferrante (by vote of the town) for legislation to establish procedures for the sale and/or lease of property known as Conomo Point in the town of Essex, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Essex,—land.

Reports of Committees.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Doreen Edwards, an employee of the Dorchester Division of the Boston Municipal Court Department (House, No. 5101). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Doreen Edwards,—sick leave bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

House bills

Authorizing the town of Milford to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 5071) [Local Approval Received]; and

Milford,—liquor licenses.

Authorizing the town of Millbury to issue two additional liquor licenses (House, No. 5076) [Local Approval Received];

Millbury,—liquor licenses.

Under suspension of Rule 7A, in each instance, on motion of Mr. Hill of Ipswich, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Engrossed Bills.

Engrossed bills

Authorizing the town of Sudbury to enter into long-term leases and contracts for renewable or alternative energy, equipment and facilities (see House, No. 4718, amended); and

Bills enacted.

Authorizing the town of Belmont to grant licenses for the sale of all alcoholic beverages to be drunk on the premises of certain restaurants (see House, No. 5024, 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.

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

The House Bill establishing a sick leave bank for Maurice Jandreau (House, No. 5083), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Hill of Ipswich; and it was passed to be engrossed. Sent to the Senate for concurrence.

Maurice Jandreau,—sick leave bank.

The engrossed Bill relative to pooling of tips (see House, No. 4814, amended) which had been returned to the House by His Excellency the Governor with recommendation of amendments (for message, see House, No. 4984), was discharged from its position in the Orders of

Tips,—pooling.

Tips,—
pooling.

the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Hill of Ipswich.

The committee on Bills in the Third Reading reported recommending that the amendments recommended by the Governor be considered in the following form:

"In section 2, by striking out clauses (ii) and (iii) and inserting in place thereof the following clause:—

(ii) assigning employees to their posts, shall qualify as a wait staff employee for purposes of this section."

The amendment was adopted. Sent to the Senate for its action.

Brian C.
Linehan,—
sick leave
bank.

The House Bill establishing a sick leave bank for Brian C. Linehan, an employee of the Department of Revenue (House, No. 5067), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Hill of Ipswich. The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by adding the following sentence "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department."

The amendment was adopted; and the bill (House, No. 5067, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Tanya
Robideau,—
sick leave
bank.

The House Bill establishing a sick leave bank for Tanya Robideau, an employee for the Massachusetts Department of Correction (House, No. 5079) (its title having been changed by the committee on Bills in the Third Reading), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Hill of Ipswich. The bill (having been reported by said committee to be correctly drawn) then was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by adding the following sentence "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department."

The amendment was adopted; and the bill (House, No. 5079, amended) was passed to be engrossed. Sent to the Senate for concurrence.

State
pilotage
rate
board.

The Senate Bill establishing the Massachusetts state pilotage rate board (Senate, No. 2174, amended), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Hill of Ipswich.

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, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Motor
vehicles,—
glass
repairs.

The House Bill relative to motor vehicle glass repair shop registration (House, No. 5080) was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Hill of Ipswich.

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 Monday next at eleven o'clock A.M. Next sitting.

Mr. Canessa of New Bedford then moved that as a mark of respect to the memory of Stanley E. Barnicoat, a member of the House from Middleborough in 1977 and 1978, the House adjourn; and the motion prevailed.

Accordingly, at twenty-nine minutes after ten o'clock A.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.