

JOURNAL OF THE HOUSE.

Thursday, December 16, 2010.

Met according to adjournment at ten 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.

Silent Prayers.

Army Lt. Scott "Scooter" Milley.

At the request of Mr. Conroy of Wayland, the members, guests and employees stood in a moment of silence in tribute to the memory of Lt. Scott "Scooter" Milley, an Army Ranger from Sudbury, who was killed in action while on duty in Afghanistan on November 30, 2010. Lt. Milley was raised in Sudbury and was a 2005 graduate of Lincoln-Sudbury High School and later the University of New Hampshire.

Throughout his life, Scott exhibited great energy, friendliness, optimism, courage, good judgment and a "can-do" spirit that exemplify the best qualities in Americans.

Lt. Milley is survived by his mother Janice, father Steven, brother Steven, Jr. and sister, Ashley.

Army Sgt. James Ayube, Jr.

At the request of Mr. Keenan of Salem, the members, guests and employees stood in a moment of silence in tribute to the memory of Army Sergeant James Ayube, Jr., formerly of Salem, who was killed in action on December 9, 2010 while on a combat mission in the Balkh province of Afghanistan. Sergeant Ayube was assigned to Headquarters and Headquarters Troop, 3rd Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany. He had served four years and had also completed a tour in Iraq.

Sergeant Ayube is survived by his wife Lauren, twin brother Alex, sister Ashleigh, and his parents James Sr. and Christina Ayube of Salem.

Communication.

Dukes County Registry of Deeds.

A communication from the Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund (copies of the communication forwarded to the House committees on Post Audit and Oversight and Ways and Means, in accordance with said law), was placed on file.

Annual Reports.

Annual reports

Nantucket Regional Transit Authority.

Of the Nantucket Regional Transit Authority (under the provisions of Chapter 161B of the General Laws) for the fiscal year 2010, was spread upon the records of the House; and

Of the Office of the Trial Court (under Chapter 205 of the Acts of 2008) relative to the further protection of children. Severally were placed on file. Trial Court,—children.

Resolutions.

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

Resolutions (filed by Mr. Fernandes of Milford) congratulating Cameron Hopkins on earning the Eagle Award; Cameron Hopkins.

Resolutions (filed by Mr. Timilty of Milton) congratulating Stephen Christopher Campo on receiving the Eagle Award of the Boy Scouts of America; Stephen Christopher Campo.

Resolutions (filed by Mr. Timilty of Milton) congratulating Alexander David Jamal on receiving the Eagle Award of the Boy Scouts of America; and Alexander David Jamal.

Resolutions (filed by Mr. Timilty of Milton) congratulating Graham Curtis Strang on receiving the Eagle Award of the Boy Scouts of America; Graham Curtis Strang.

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

Petition.

Representative Smola of Palmer and Senator Brewer presented a joint petition (subject Joint Rule 12) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Lori J. Madrazo-Bulak, an employee of the Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules. Lori J. Madrazo-Bulak,—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. Smith of Everett, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Public Service.

Papers from the Senate.

The House Bill authorizing the lease and construction of improvements to the North Branch library and East Branch library buildings in the town of Watertown (House, No. 4667), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 2 by striking out the following "and sections 44A to 44H, inclusive, of chapter 149 of the General Laws" (as changed by the committee on Bills in the Third Reading) and inserting in place thereof the following " , section 44A to 44H, inclusive, of chapter 149 of the General Laws and chapter 149A of the General Laws". Watertown,—library.

Under suspension of Rule 35, on motion of Mr. Hecht of Watertown, 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.

Cape and Vineyard Electric Cooperative. A Bill further regulating the Cape and Vineyard Electric Cooperative, Inc. (Senate, No. 2613) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Beverly O'Riordan,—sick leave bank. A petition of Bruce E. Tarr and James R. Miceli for legislation establishing a sick leave bank for Beverly O'Riordan, an employee of the Department of Elementary and Secondary Education, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2660) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Karen Reilly,—sick leave bank. By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Tara Reilly, an employee of the Department of Children and Families (House, No. 5111, changed in lines 2, 4 and 6, by striking the word "Tara" in each instance and inserting in place thereof the following "Karen").

Charles River Water Quality Commission. By Mr. Binienda of Worcester, for the committees on Rules, acting concurrently, on a petition, a Bill relative to the Charles River Water Quality Commission (House, No. 5112).

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

Community Development and Small Business,—study. By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on House, Nos. 3544, 3545, 3646, 3648, 3649, 3799, 3858, 3859 and 3860, an Order relative to authorizing the committee on Community Development and Small Businesses to make an investigation and study of a certain House document concerning pricing of grocery and retail items, billboard advertisements and affordable housing options (House, No. 5114). 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.

Boston,—alcoholic beverages. Report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 5056) of Carlo P. Basile and Anthony Petruccelli (with the approval of the mayor and city council) that the licensing board for the city of Boston be authorized to issue certain licenses for the sale of alcoholic beverages at Logan Airport located in said city [Local Approval Received].

Under suspension of the rules, on a motion of Mr. Basile of Boston, the report was considered forthwith.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Speliotis of Danvers.

Emergency Measures.

The engrossed Bill validating certain proceedings of the Pathfinder Regional Vocational-Technical High School District (see Senate, No. 2536, amended), 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.

Pathfinder Regional Vocational-Technical High School District.

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 7 to 0. Sent to the Senate for concurrence.

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

Bill enacted.

The engrossed Bill establishing a sick leave bank for Tanya Robideau, an employee of the Department of Correction (see House, No. 5079, amended), 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.

Tanya Robideau,—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 7 to 0. Sent to the Senate for concurrence.

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 Speaker and sent to the Senate.

Bill enacted.

Valedictory Addresses.

The Speaker having taken the Chair, the following members, who were not returning for the 2011-2012 Legislative session, then addressed the House regarding their departure from service in the House of Representatives: Representatives Bowles of Attleboro; Allen of Boston; Clark of Melrose; Richardson of Framingham; Sandlin of Agawam; Guyer of Dalton; Rice of Gardner; Welch of West Springfield; Polito of Shrewsbury; Callahan of Sutton; Driscoll of Braintree; Hargraves of Groton; Evangelidis of Holden; Grant of Beverly; L'Italien of Andover; Perry of Sandwich; Rush of Boston; Falzone of Saugus; D'Amico of Seekonk; Patrick of Falmouth; Finegold of Andover; Rodrigues of Westport; Fagan of Taunton; Kujawski of Webster; Quinn of Dartmouth; Harkins of Needham; Tobin of Quincy and Flynn of Bridgewater.

Valedictory addresses.

Recess.

At twenty-two minutes before one o'clock P.M., on motion of Mr. Rush of Boston, the House recessed until quarter after one o'clock P.M.; and at twenty minutes before two o'clock the House was called to order with the Speaker in the Chair.

Recess.

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

Mr. Donato of Medford having taken the Chair,—

North
Andover,—
warrant.

The House Bill relative to the distribution of copies of the warrant in the town of North Andover (House, No. 1900), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Torrisi of North Andover.

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.

Winthrop,—
Kilmartin
Walkway.

The House Bill designating a walkway in the Belle Isle Marsh area in the town of Winthrop as the John Kilmartin Walkway (House, No. 5035) (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 and considered forthwith, under suspension of Rule 47, on motion of Mr. DeLeo of Winthrop.

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.

Orange,—
financial
condition.

The House Bill relative to the financial condition of the town of Orange (House, No. 5069), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Donelan of Orange.

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.

Milford,—
geriatric
authority.

The House Bill relative to the Geriatric Authority of Milford (House, No. 5072), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Milford.

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.

Malden,—
early
retirement.

The House Bill providing for a work force reduction of the city of Malden through an early retirement incentive for certain employees (House, No. 5073) (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. Fallon of Malden.

The bill (having been reported by said committee to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Millbury,—
alcoholic
beverages.

The House Bill authorizing the town of Millbury to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 5076) (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 and considered forthwith, under suspension of Rule 47, on motion of Mr. Frost of Auburn.

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.

The House Bill changing the date of the annual town meeting in the town of North Reading (House, No. 5070), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Jones of North Reading.

North
Reading,—
town
meeting.

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 substitution of a bill with the same title (House, No. 5118), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill establishing certain employment contracts for the town of Milford (House, No. 5088), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Fernandes of Milford.

Milford,—
employment
contracts.

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.

At half past four o'clock P.M., on motion of Mrs. Poirier of North Attleborough (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.