

Tuesday, May 31, 2011.

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).

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.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to bringing the Massachusetts Sex Offender Registry into compliance with the requirements of the federal Sex Offender Registration and Notification Act (House, No. 3471), was filed in the office of the Clerk on Thursday, May 26, 2011.

Sex
Offender
Registry.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Resolutions.

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

Resolutions (filed by Mr. Mariano of Quincy) congratulating Taiwan on the one hundredth anniversary of its National Day;

Taiwan,—
National Day.

Resolutions (filed by Mr. Peterson of Grafton) honoring Elizabeth T. Gauthier on the occasion of her one hundred and tenth birthday;

Elizabeth T.
Gauthier.

Resolutions (filed by Representatives Barrows of Mansfield, Poirier of North Attleborough and Kafka of Stoughton) congratulating James Austin Flanagan on receiving the Eagle Award of the Boy Scouts of America;

James
Austin
Flanagan.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Anthony Francis Musselli, Sr., on the occasion of his one hundredth birthday;

Anthony
Francis
Musselli, Sr.

Resolutions (filed by Mr. Levy of Marlborough) congratulating Angela Brita on the occasion of her retirement from the Marlborough Public Schools;

Angela
Brita.

Resolutions (filed by Mr. Levy of Marlborough) congratulating Jill Zeurcher on the occasion of her retirement from the Marlborough Public Schools;

Jill
Zeurcher.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Christopher E. Burke upon his elevation to the rank of Eagle Scout;

Christopher E.
Burke.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Jacob P. Myers upon his elevation to the rank of Eagle Scout;

Jacob P.
Myers.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Adam L. Shipp upon his elevation to the rank of Eagle Scout;

Adam L.
Shipp.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Nicholas G. Wisialko upon his elevation to the rank of Eagle Scout;

Nicholas G.
Wisialko.

James Duncan
Bowden.
Andrew
DeMatteo.
Andrew
Hori.
Daniel
Park.
Michael
Saurette, Jr.

Resolutions (filed by Ms. Peisch of Wellesley) congratulating James Duncan Bowden upon his elevation to the rank of Eagle Scout;
Resolutions (filed by Ms. Peisch of Wellesley) congratulating Andrew DeMatteo upon his elevation to the rank of Eagle Scout;
Resolutions (filed by Ms. Peisch of Wellesley) congratulating Andrew Hori upon his elevation to the rank of Eagle Scout;
Resolutions (filed by Ms. Peisch of Wellesley) congratulating Daniel Park upon his elevation to the rank of Eagle Scout; and
Resolutions (filed by Messrs. Turner of Dennis and Atsalis of Barnstable) congratulating Michael Saurette, Jr., 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.

Petitions.

Toby
Miller,—
sick leave
bank.

Representative Smola of Palmer and Senator Brewer presented a joint petition (subject to Joint Rule 12) of Todd M. Smola and Stephen M. Brewer for legislation to establish a sick leave bank for Toby Miller, an employee of the Executive Office of Health and Human Services; and the same was referred, under Rule 24, to the committee on Rules.

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. Kafka of Stoughton, 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. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Matthew
Robitaille,—
sick leave.

By Representative Cabral of New Bedford and Senator Montigny, a joint petition (subject to Joint Rule 12) of Antonio F. D. Cabral, Mark C. Montigny and Stephen R. Canessa for legislation to establish a sick leave bank for Matthew Robitaille, an employee of the sheriff's department of Bristol County.

Dalton,—
Casey
Bridge.

By Representative Mark of Hancock and Senator Downing, a joint petition (subject to Joint Rule 12) of Paul W. Mark and Benjamin B. Downing relative to designating a certain bridge in the town of Dalton as the 2nd Lt. Michael J. Casey, Sr., Memorial Bridge.

Michael W.
Kaplon,—
sick leave.

By Representative Stanley of West Newbury and Senator Tarr, a joint petition (subject to Joint Rule 12) of Harriett L. Stanley and Bruce E. Tarr for legislation to establish a sick leave bank for Michael W. Kaplon, an employee of the Department of Revenue.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

General
Appropriation
Bill.

The House Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund

and serial bond requirements and for certain permanent improvements (House, No. 3401), 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 1920.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Dempsey, Kulik of Worthington and deMacedo of Plymouth were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of
conference.

Reports of Committees.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the commercial exploitation of people (House, No. 3469), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3470). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Human
trafficking.

Mr. Binienda of Worcester, for said committees, then reported that the bill ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House. Under suspension of Rule 7A, on motion of Mr. Kafka, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 3470) was ordered to a third reading.

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

House bills
To protect the natural resources of the Commonwealth (House, No. 3438); and Land.

Relative to The Shops@20 in the town of Northborough (House, No. 3467); Northborough.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Therese Hillard, an employee of the Department of Public Health (see Senate, No. 1896, 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.

Theresa
Hillard,—
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 3 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next
sitting.

On motion of Mr. DeLeo of Winthrop,—
Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

At twenty-eight minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.