

Monday, September 26, 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).

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.

Appointment by the Minority Leader.

Tax expenditure commission,— appointment.

The Minority Leader announced that he had appointed Representative Levy of Marlborough to serve as his designee on the special commission established (under Section 160 of Chapter 68 of the Acts of 2011) to review and evaluate the administration and fiscal impact of tax expenditures, as defined in Section 1 of Chapter 29 of the General Laws, and make recommendations to the General Court on the administrative efficiency and cost benefit of tax expenditures.

Resolutions.

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

Dorothy Reichard.

Resolutions (filed by Representatives Balsler of Newton, Khan of Newton and Lawn of Watertown) congratulating Dorothy "Dottie" Reichard on being named the 2011 recipient of the Newton Democratic City Committee's Civic Engagement Award;

Wayne F. Wagner.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Major General Wayne F. Wagner on being named a recipient of the 2011 Outstanding Citizen of the Blackstone Valley Award; and

Carl Frank Barron.

Resolutions (filed by Representatives Wolf of Cambridge, Hecht of Watertown, Brownsberger of Belmont, Walz of Boston and Toomey of Cambridge) congratulating Carl Frank Barron on the occasion of his ninety-fifth birthday;

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

Petitions.

Luis Rodriguez,— sick leave.

Mr. Binienda of Worcester presented a petition (subject to Joint Rule 12) of John J. Binienda for legislation to establish a sick leave bank for Luis Rodriguez, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binienda, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recom-

mending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley relative to penalties for the sale, delivery or furnishing of alcoholic beverages to persons under the age of twenty-one.

Alcoholic beverages,— underage.

By Representative Finn of West Springfield and Senator Welch, a joint petition (subject to Joint Rule 12) of Michael J. Finn and James T. Welch relative to manslaughter while operating a motor vehicle.

Vehicular manslaughter.

By Mr. Hill of Ipswich, a petition (subject to Joint Rule 12) of Bradford Hill relative to elliptical step cycles.

Elliptical step cycles.

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

Papers from the Senate.

The House Bill establishing a business and economic development special revenue fund in the city of Marlborough (House, No. 1452), 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 2008.

Marlborough,— revenue fund.

Under suspension of Rule 35, on motion of Mr. Levy of Marlborough, 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.

A Bill establishing a sick leave bank for Louceta Hodge, an employee of the Department of Revenue (Senate, No. 2023) (on Senate bill No. 1931), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Louceta Hodge,— sick leave.

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

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

A Bill relative to the improvement of Route 2, Crosby's Corner Interchange, in the towns of Lincoln and Concord (Senate, No. 2022) (on Senate, No. 1739), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Route 2,— Crosby's Corner.

Bills

Increasing the exemption for certain residential real property in the city of Malden (Senate, No. 1895) (on a petition) [Local Approval Received]; and

Malden,— property tax.

Providing for the establishment of a fire department in the town of Newbury (Senate, No. 1941, amended in section 2, in lines 11 and 12, by striking out the words "there shall remain in place two fire

Newbury,— fire department.

Newbury,—
fire
department.

companies within the jurisdictional limits of the town of Newbury” and inserting in place thereof the following: “2 fire companies within the jurisdictional limits of the town of Newbury may provide services to the town”) (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.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Hit and run
accidents.

Petition (accompanied by bill) of Garrett J. Bradley for legislation to increase the penalties for hit and run motor vehicle accidents; and

Homestead.

Petition (accompanied by bill) of Garrett J. Bradley relative to the declaration of homestead;

Severally to the committee on the Judiciary.

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

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

Medford,—
details.

Authorizing increased fees for special details performed by public employees in the city of Medford (House, No. 3530); and

Salisbury,—
Morgan
Square.

Designating a certain portion of land in the town of Salisbury as the Thomas B. Morgan Square (House, No. 3713);

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

Disabled
students,—
transition.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 159, a Bill to promote the successful transition of students with disabilities to post-secondary education, employment, and independent living (House, No. 3720). Read; and referred, under Rule 33, to the committee on Ways and Means.

Weston,—
alcoholic
beverages.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill relative to the granting of club and special licenses for the sale of alcoholic beverages in the town of Weston (House, No. 3459) [Local Approval Received].

Bolton,—
alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Bolton to grant a license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (House, No. 3497) [Local Approval Received].

Lincoln,—
alcoholic
beverages.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Lincoln to grant a single license to pour full alcoholic beverages to be consumed on the premises (House, No. 3531) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Lincoln to grant a single license for the sale of wine and malt beverages to be consumed off premises (House, No. 3532) [Local Approval Received].

Lincoln,—
alcoholic
beverages.

By the same member, for the same committee, on a joint petition, a Bill relative to the granting of a club license for the sale of alcoholic beverages in the town of Lincoln (House, No. 3533) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Westford to issue two additional liquor licenses (House, No. 3583) [Local Approval Received].

Westford,—
alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill authorizing a ballot question in the town of Arlington relative to the granting of licenses for the sale of wines and malt beverages to be drunk on the premises in theaters (House, No. 3647) [Local Approval Received].

Arlington,—
alcoholic
beverages.

By the same member, for the same committee, on a petition, a Bill authorizing a ballot question in the town of Arlington relative to the granting of additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3648) [Local Approval Received].

Id.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Danvers to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3699) [Local Approval Received].

Danvers,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 3499, a Bill authorizing the town of Hanover to grant a certain license for the sale of alcoholic beverages (House, No. 3721) [Local Approval Received].

Hanover,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 3521, a Bill relative to the town of Fairhaven issuing a common victualer beer and wine license to Zhang Brothers, Inc., d/b/a A Kitchen, 142 Huttleston Avenue in the town of Fairhaven (House, No. 3722) [Local Approval Received].

Fairhaven,—
alcoholic
beverages.

By the same member, for the same committee, on Senate, No. 145 and House, Nos. 1021 and 3226, a Bill regulating secondary metals dealings (House, No. 3723).

Metals
dealings,—
regulating.

By the same member, for the same committee, on House, No. 3520, a Bill relative to the town of Fairhaven issuing a restaurant beer and wine license to Lady J's, Inc., d/b/a Griddles, 140 Huttleston Avenue in the Town of Fairhaven (House, No. 3724) [Local Approval Received].

Fairhaven,—
alcoholic
beverages.

By the same member, for the same committee, on House, No. 3561, a Bill further authorizing the town of Natick to grant certain licenses for the sale of wines and malt beverages to be drunk on the premises (House, No. 3725) [Local Approval Received].

Natick,—
alcoholic
beverages.

By Mr. Straus of Mattapoisett, for the committee on Transportation, on a petition, a Bill designating a certain bridge on interstate highway route 195 in the town of Wareham as the 1st Sgt. Charles W. Parker Memorial Bridge (House, No. 915).

Wareham,—
Parker
Memorial
Bridge.

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

Engrossed Bills.

Engrossed bills

Bills enacted.

Relative to the geographic limits of Fire District No. 2 in the town of South Hadley (see House, No. 3485, amended); and
 Authorizing the City Clerk in the city of Haverhill to arrange the names of candidates for municipal elective office by random drawing (see House, No. 3705);

(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 they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third reading bill.

The Senate Bill establishing a sick leave bank for Donna Jean Kelly, an employee of the Trial Court (Senate, No. 2013), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Id.

The House Bill validating the actions taken at certain elections held in the town of Abington (printed in House, No. 3664), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third; and it was passed to be engrossed. Sent to the Senate for concurrence.

Vendor contracts.

The House Bill relative to vendor contracts (House, No. 5), reported by the committee on Bills in the Third Reading to be correctly, 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. 3726), which was read.

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

Shaun T. Sawyer — sick leave.

The House Bill establishing a sick leave bank for Shaun T. Sawyer, an employee of the Department of Developmental Services (House, No. 3701), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it by inserting before the enacting clause the following emergency preamble:

“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 department of developmental services, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No 3701, amended) 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.

At sixteen 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 Thursday at eleven o'clock A.M., in an Informal Session.