

Thursday, October 20, 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.

Messages from the Governor.

Milton,—liquor license.

A message from His Excellency the Governor recommending legislation relative to repealing an act authorizing the town of Milton to grant a license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (House, No. 3760), was filed in the office of the Clerk on Tuesday, October 18, 2011.

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

Supplemental appropriations.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3761), was filed in the office of the Clerk on Monday, October 17, 2011.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Resolutions.

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

Louise Furciniti. Barbara Poppe.

Resolutions (filed by Mr. Fernandes of Milford congratulating Louise Furciniti on the occasion of her one hundredth birthday; and

Resolutions (filed by Representatives Wolf of Cambridge and Rushing of Boston) commending Barbara Poppe on her outstanding dedication to the United States Interagency Council on Homelessness;

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

Petitions.

Acton,—water supply.

A petition (subject to Joint Rule 9) of Jennifer E. Benson (by vote of the town of Boxborough) for legislation to regulate the acquisition of ground water in said town by the Water Supply District of Acton, having been returned by the State Secretary with memorandum relative thereto), was again 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 9 be suspended. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 9 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Puppolo of Springfield, a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., that the State Retirement Board be directed to grant creditable service to Francis C. Torcia.

Francis C. Torcia,—retirement.

By Mr. Winslow of Norfolk, a petition (subject to Joint Rule 12) of Daniel B. Winslow and others for legislation to require judicial consideration of lawful alien status for bail.

Lawful aliens,—bail.

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

Papers from the Senate.

The House Bill establishing expanded gaming in the Commonwealth (House, No. 3711), 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 2035.

Gaming.

Under suspension of the rules, on motion of Mr. Wagner of Chicopee, 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 Wagner, Dempsey of Haverhill and Frost of Auburn were appointed to the committee on the part of the House. Sent to the Senate to be joined.

Conference committee.

A Bill designating a certain bridge in the city of Leominster as the Jonathan Roberge Memorial Bridge (Senate, No. 1741) (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.

Leominster,—Roberge bridge.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2040) of Robert L. Hedlund and Garrett J. Bradley for legislation to expand the Attorney General's power of intervention. To the committee on the Judiciary.

Attorney General,—public utilities.

Petition (accompanied by bill, Senate, No. 2041) of Bruce E. Tarr, James E. Vallee, Michael R. Knapik, Cory Atkins and other members of the General Court for legislation to recognize those in military service. To the committee on Transportation.

Veterans,—registration plates.

A report of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 868) of Karen E. Spilka, Sal N. DiDomenico, Stephen R. Canessa, Marc R. Pacheco and other members of the General Court for legislation to prevent unlawful and unnecessary foreclosures, and recom-

Foreclosures.

Foreclosures. mending that the same be referred to the committee on Financial Services,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

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:

Vehicular homicide. Joint petition of Michael J. Finn and James T. Welch relative to vehicular homicide while under the influence of an intoxicating substance; and

Crime,— notification. Petition of Bradley H. Jones, Jr., and others relative to the crime of failing to notify law enforcement officials of a missing or deceased person;

Severally to the committee on the Judiciary.
Petition (accompanied by bill) of F. Jay Barrows and others relative to the bundled cell phone taxation. To the committee on Revenue.

Cell phone taxation. Joint petition (accompanied by bill) of F. Jay Barrows and James E. Timilty for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to said town for housing purposes. To the committee on State Administration and Regulatory Oversight.

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

North Adams,— elections. By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill validating the acts and proceedings of the preliminary mayoral election in the city of North Adams (House, No. 3741) [Local Approval Received], be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of Mr. Kafka, the bill (having been 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. Sent to the Senate for concurrence.

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

Senate bills
Relative to the contributions of certain employees in the town of Plymouth (Senate, No. 1346) [Local Approval Received]; and

Plymouth,— employees. Amending the charter of the town of Holden (Senate, No. 1984) [Local Approval Received]; and

House bills
Relative to vacant and abandoned property in the Commonwealth (House, No. 2329);

Abandoned property. Holden,— town charter.

Relative to the human resources department of the town of Arlington (House, No. 3651) [Local Approval Received]; and

Arlington,— personnel.

Relative top budget submissions to the town manager in the town of Arlington (House, No. 3652) [Local Approval Received];

Arlington,— revenues.

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.

By Mr. Kane of Holyoke, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to private road maintenance (House, No. 578).

Private roads,— maintenance.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Sherborn to use certain town forest land for the purpose of constructing, operating and maintaining a wireless telecommunications facility (House, No. 1841) [Local Approval Received].

Sherborn,— forest land.

By the same member, for the same committee, on a joint petition, a Bill relative to the charter of the city of Somerville (House, No. 3442) [Local Approval Received].

Somerville,— charter.

By the same member, for the same committee, on a petition, a Bill relative to town meeting warrants in the town of Templeton (House, No. 3460) [Local Approval Received].

Templeton,— town meeting.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Dinamarie McCarthy, an employee of the Department of Children and Families (House, No. 3749).

Dinamarie McCarthy,— sick leave.

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

Orders of the Day.

Senate bills

Authorizing the town of Millbury to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2020); and

Third reading bills.

Authorizing the city of Salem to convert seasonal licenses to annual licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (Senate, No. 2031) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and were passed to be engrossed, in concurrence.

House bills

Validating the acts and proceedings at a certain town caucus in the town of Westhampton (House, No. 3623) (its title having been changed by the committee on Bills in the Third Reading); and

Id.

Establishing a sick leave bank for Lawrence Mainville, an employee of the Massachusetts Department of Transportation (House, No. 3747);

Severally 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. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Smola of Palmer (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.