

HOUSE OF REPRESENTATIVES

CALENDAR

Wednesday, February 10, 2010.

[At eleven o'clock A.M.]

ORDERS OF THE DAY.

32. [H. 4045] Bill authorizing the conveyance of certain parcels of land in the city of Revere (House, No. 4045). 3d. [06/11/09.] [Donato-Kafka.] [Local Approval Received.]
50. [H. 4143] Engrossed Bill providing analysis of tax credit programs (see House, No. 4143). [C. A. Murphy-Kafka.]
[Being a printed copy of Sections 31 and 40 contained in the engrossed Bill making appropriations for the fiscal year 2010 (see House, No. 4129), *which had been returned by His Excellency the Governor* with recommendation of amendment (for message, see Attachment F of House, No. 4139).]
[Referred to the committee on Bills in the Third Reading – 06/30/09.]

54. [H. 4147] Engrossed Bill relative to the University of Massachusetts Building Authority (see House, No. 4147). [C. A. Murphy-Kafka.]
[Being a printed copy of Section 105 contained in the engrossed Bill making appropriations for the fiscal year 2010 (see House, No. 4129), *which had been returned by His Excellency the Governor* with recommendation of amendment (for message, see Attachment J of House, No. 4139).]
[Referred to the committee on Bills in the Third Reading – 06/30/09.]
56. [H. 4149] Engrossed Bill determining eligibility for the Commonwealth Health Care Insurance Program (see House, No. 4149). [C. A. Murphy-Kafka.]
[Being a printed copy of Section 121 contained in the engrossed Bill making appropriations for the fiscal year 2010 (see House, No. 4129), *which had been returned by His Excellency the Governor* with recommendation of amendment (for message, see Attachment L of House, No. 4139).]
[Referred to the committee on Bills in the Third Reading – 06/30/09.]
75. [H. 2577] Bill pertaining to retirement boards (House, No. 2577). 3d. [07/14/09.] [Spellane-Kafka.]
81. [H. 255] Bill amending the requirements for barber instructors (House, No. 255). 3d. [07/28/09.] [Speliotis-Kafka.]

91. [H. 4041] Bill relative to the town of Paxton (House, No. 4041). 3d. [07/28/09.] [Donato-Kafka.] [Local Approval Received.]
110. [H. 424] Bill relative to school improvement plans (House, No. 424). 3d. [09/23/09.] [Walz-Kafka.] [Reported on Senate, No. 229.]
111. [H. 632] Bill relative to the historic districts commission of the town of Concord (House, No. 632). 3d. [09/23/09.] [Donato-Kafka.] [Local Approval Received.]
112. [H. 678] Bill relative to reprecincting (House, No. 678). 3d. [09/23/09.] [Moran-Kafka.]
114. [H. 947] Bill relative to liquor legal liability insurance (House, No. 947). 3d. [09/23/09.] [Koutoujian-Kafka.] [Reported on House, No. 864.]
124. [H. 3709] Bill protecting the city of Revere's vehicular rental surcharge from the opening of the consolidated rental car facility at Logan International Airport (House, No. 3709, changed). 3d. [09/23/09.] [Donato-Kafka.] [Local Approval Received.]
[Changed by adding at the end thereof the following three sections:
"SECTION 3. For any car rental company or franchise office relocating from Revere to the ConRAC facility which has a franchise or facility at Logan, such car rental company shall determine, based upon information from the calendar year immediately preceding the year of relocation to the ConRAC facility, the

percentage of the total combined Revere and Logan vehicular rental transactions that were Revere based, and then shall impose a \$10.00 surcharge, for the sole benefit of the City of Revere, on that same percentage of its vehicular rental transactions occurring at the ConRAC facility each year. This \$10.00 surcharge for the benefit of Revere shall be in lieu of the Boston Convention Center Financing vehicular surcharge imposed by Chapter 152, §9(e) of the Acts of 1997.

SECTION 4. The \$10.00 surcharge set forth in Sections 2 and 3 above shall be paid to, and administered by, the commissioner of revenue in accordance with Chapter 92, §§2, 3 of the Acts of 2005. All provisions of said Chapter 92, Sections §§2, 3 of the Acts of 2005 shall apply to the surcharges set forth in this legislation.

SECTION 5. This act shall take effect upon its passage.”.]

129. [H. 4171] Bill relative to the maximum storage charges on motor vehicles involuntarily towed (House, No. 4171). 3d. [09/23/09.] [Speliotis-Kafka.] [Reported on House, No. 276.]
133. [H. 2304] Bill relative to floor finishing products (House, No. 2304). 3d. [09/23/09.] [Costello-Kafka.] [Reported on Senate, No. 949.]
136. [H. 4228] Bill to limit losses of subcontractors in private construction (House, No. 4228). 3d. [09/23/09.] [S. M. Walsh-Kafka.] [Reported on House, No. 3022.]

143. [H. 4230] Bill to create an annual City Year day (House, No. 4230). 3d. [10/08/09.] [S. M. Walsh-Kafka.] [Reported on House, No. 3758.]
145. [H. 4236] Bill relative to the flying of the flag of the Commonwealth at half staff on state buildings and installations (House, No. 4236). 3d. [10/08/09.] [S. M. Walsh-Kafka.] [Reported on House, No. 3046.]
154. [S. 84] Bill (S.) relative to reckless endangerment of persons with disabilities (Senate, No. 84). 3d. [10/28/09.] [Khan-Kafka.]
155. [H. 1582] Bill relative to anti gang injunctions (House, No. 1582). 3d. [10/28/09.] [O'Flaherty-Kafka.]
162. [H. 1653] Bill relating to controlled substances and medical treatment (House, No. 1653). 3d. [10/28/09.] [O'Flaherty-Kafka.]
149. [H. 1589] Bill relative to technical corrections regarding the further protection of children (House, No. 1589). 3d. [11/04/09.] [O'Flaherty-Kafka.]
161. [H. 344] Bill prohibiting devocalization of dogs and cats (House, No. 344). 3d. [11/04/09.] [O'Flaherty-Kafka.]

128. [H. 4169] Bill clarifying the continuing education requirements for real estate brokers and sales persons (House, No. 4169). 3d. [11/10/09.] [Speliotis-Kafka.] [Reported on House, No. 3651.]
184. [H. 1592] Bill regulating notaries public to protect consumers from fraud and other abuses (House, No. 1592). 3d. [11/10/09.] [O'Flaherty-Kafka.]
186. [H. 3159] Bill designating a certain rest area in the town of Barnstable as the Korean War Veterans Memorial rest area (House, No. 3159). 3d. [11/10/09.] [Wagner-Kafka.]
187. [H. 3218] Bill designating a certain bike path in the town of Millbury as the Honorable Richard Dwinell Memorial Blackstone Valley bike path (House, No. 3218). 3d. [11/10/09.] [Wagner-Kafka.] [Reported on House, No. 3219.]
196. [H. 971] Bill relative to the licensure of health plans (House, No. 971). 3d. [11/18/09.] [Koutoujian-H. L. Stanley-Kafka.]
202. [H. 4189] Bill authorizing the town of North Andover to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4189). 3d. [11/18/09.] [Speliotis-Kafka.] [Local Approval Received.]
208. [H. 4328] Bill relative to insurance benefits of organ transplant recipients (House, No. 4328). 3d. [11/18/09.] [H. L. Stanley-Kafka.] [Reported on Senate, No. 589.]

211. [H. 3468] Bill relative clarifying sewer assessment options (House, No. 3468). 3d. [11/25/09.] [Donato-Kafka.]
[Changed in line 5, by striking out the word “betterment” and inserting in place thereof the word: “sewer”; and in line 13, by striking out the words “municipal borrowing” and inserting in place thereof the words: “any amount borrowed for the sewer system”.]
212. [H. 1145] Bill designating the city of Salem as the birthplace of the National Guard (House, No. 1145). 3d. [12/3/09.] [Wagner-Kafka.]
[Changed in section 1, in line 5, by striking out the words “at the Salem/Beverly line and at Route 114 at the Salem/Marblehead line” and inserting in place thereof the following: “and at Route 114 as one enters the city of Salem”.]
213. [H. 2206] Bill further prohibiting discrimination in sober housing (House, No. 2206). 3d. [12/3/09.] [Costello-Kafka.]
214. [H. 611] Bill creating the Lincoln Park infrastructure financing district in the town of Dartmouth (House, No. 611). 3d. [12/7/09.] [Donato-Kafka.] [Local Approval Received.]
215. [H. 4369] Bill to prohibit the use of novelty lighters in the Commonwealth (House, No. 4369). 3d. [12/7/09.] [Costello-Kafka.] [Reported on House, Nos. 2188 and 3924.]

216. [S. 2073] Bill (S.) establishing the Sandwich economic initiative corporation (Senate, No. 2073). 3d. [12/10/09.] [Forry-Kafka.] [Local Approval Received.]
219. [H. 954] Bill relating to the Division of Insurance maintenance assessments (House, No. 954). 3d. [12/17/09.] [Koutoujian-Kafka.]
220. [H. 955] Bill relating to liability insurance (House, No. 955). 3d. [12/17/09.] [Koutoujian-Kafka.]
221. [H. 959] Bill relative to affiliate transfers (House, No. 959). 3d. [12/17/09.] [Koutoujian-Kafka.]
222. [H. 999] Bill relative to deposits in trust for other persons (House, No. 999). 3d. [12/17/09.] [Koutoujian-Kafka.]
223. [H. 1039] Bill relative to the delivery of loss information to an insured from commercial insurers (House, No. 1039). 3d. [12/17/09.] [Koutoujian-Kafka.] [Reported on House No. 902.]
224. [H. 1126] Bill exempting the harbor and shellfish advisory board membership from conflict of interest regarding discussion of shellfish licensing (House, No. 1126). 3d. [12/17/09.] [S. M. Walsh-Kafka.] [Local Approval Received.]

226. [H. 1993] Bill relative to the qualification, service and salary of the county manager (House, No. 1993). 3d. [12/17/09.] [Donato-Kafka.]
227. [H. 2852] Bill relative to property tax exemptions for rental properties in the town of Wellfleet restricting affordable housing (House, No. 2852). 3d. [12/17/09.] [Kaufman-Kafka.] [Local Approval Received.]
228. [H. 3182] Bill relative to naming “The Road to Boston” in memory of Benny Emerick (House, No. 3182). 3d. [12/17/09.] [Wagner-Kafka.]
230. [H. 4341] Bill clarifying certain banking laws (House, No. 4341). 3d. [12/17/09.] [Koutoujian-Kafka.] [Reported on House No. 1001.]
231. [S. 2159] Bill (S.) designating a certain bridge in the town of Uxbridge as the Titus Ebbeling Memorial Bridge (Senate, No. 2159). 3d. [12/21/09.] [Wagner-Kafka.]
233. [H. 4321] Bill relative to the Yarmouth Marina (House No. 4321) 3d. [12/21/09.] [Forry-Kafka.] [Local Approval Received.]
234. [H. 4364] Bill naming the inpatient library at the Corrigan Mental Health Center (House No. 4364) 3d. [12/21/09.] [S. M. Walsh-Kafka.]

242. [S. 997] Bill (S.) punishing assault and battery by means of a bodily substance upon correctional facility employees (Senate, No. 997, amended). 3d. [01/28/10.] [Costello-Kafka.]
[Amended by the Senate in line 17 by striking out the figure: “5” and inserting in place thereof the figures: “2½”.]
244. [S. 1890] Bill (S.) designating a certain bridge in the towns of Orange and Wendell as the Franklin County Purple Heart Memorial Bridge (Senate, No. 1890). 3d. [01/28/10.] [Wagner-Kafka.]
245. [H. 328] Bill relative to scrap metal dealers (House, No. 328, changed). 3d. [01/28/10.] [Forry-Kafka.]
[Changed in line 15 by striking out the words “Massachusetts photo” and inserting in place thereof the words “government issued”; and, in line 16, by striking out the words “state and local police” and inserting in place thereof the words “any law enforcement agency”.]
246. [H. 1631] Bill relative to juror service (House, No. 1631). 3d. [01/28/10.] [O’Flaherty-Kafka.]
247. [H. 1633] Bill to improve juror service (House, No. 1633). 3d. [01/28/10.] [O’Flaherty-Kafka.]
248. [H. 4251] Bill authorizing the town of Franklin to appropriate funds and incur debt for the purpose of removing overhead utilities and replacing the same with underground facilities (House, No. 4251). 3d. [01/28/10.] [Donato-Kafka.] [Local Approval Received.]

249. [H. 4256] Bill relative to the elections in the town of Wayland (House, No. 4256). 3d. [01/28/10.] [Moran-Kafka.] [Local Approval Received.]
250. [H. 4338] Bill designating a certain bridge in the town of Mansfield in honor of Edward Joseph Pazsit (House, No. 4338, changed). 3d. [01/28/10.] [Wagner-Kafka.]
[Changed in section 1, in line 5, by striking out the word “Pazsit” and inserting in place thereof the following: “S/Sgt Edward J. Pazsit USAAF Memorial”.]
252. [H. 4413] Bill to provide the voters of the town of Bridgewater a choice of charters for new forms of government (House, No. 4413). 3d. [01/28/10.] [Donato-Kafka.] [Local Approval Received.]
253. [S. 407] Bill (S.) designating the walking path along Lynn Shore Drive at Red Rock Park in the city of Lynn as the Senator Walter J. Boverini Scenic Walkway (Senate, No. 407). 3d. [02/04/10.] [Straus-Kafka.]
254. [H. 3790] Bill relative to overall vehicle length (House, No. 3790). 3d. [02/04/10.] [Wagner-Kafka.]
255. [H. 4274] Bill designating a certain bridge in the city of Fall River as the Louis Phillip Gagne Jr. bridge (House, No. 4274). 3d. [02/04/10.] [Wagner-Kafka.]

258. [S. 2163] Bill (S.) relative to Wareham Library certification (Senate, No. 2163). 3d. [02/04/10.] [S. M. Walsh-C. M. Murphy-Kafka.]

259. [H. 4469] Bill relative to representation by the Attorney General in actions involving pilots (House, No. 4469). 3d. [02/04/10.] [Straus-C. M. Murphy-Kafka.] [New draft of House, No. 3676.]

260. [H. 4407] Engrossed Bill relative to a wastewater management district in the town of Harvard (see House, No. 4407, amended). [Straus-C. M. Murphy-Kafka.] [New draft of House bill No. 1130.]

[Returned by *His Excellency the Governor* with recommendation of amendment (for message, see House, No. 4486).]

[Amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2244.]

[Referred to the committee on Bills in the Third Reading – 02/08/10.]

107. [H. 4142] Engrossed Bill providing for reporting dates for capital gains revenue and transferring certain funds (see House, No. 4142, amended). [C. A. Murphy-Kafka.]
 [Question: *Shall this bill pass, notwithstanding the objections of His Excellency the Governor.*]
 [Being a printed copy of Section 22 contained in the engrossed Bill making appropriations for the fiscal year 2010 (see House, No. 4129), *which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 4139).*]
 [Returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4207).]
108. [H. 2365] Engrossed Bill establishing a sick leave bank for Keith Bianchini, an employee of the Department of Correction (see House, No. 2365). [Spellane-Kafka.]
 [Question: *Shall this bill pass, notwithstanding the objections of His Excellency the Governor.*]
 [Returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4221).]
127. [H. 4156] Bill relative to the agreement among the states to elect the President by national popular vote (House, No. 4156). 2d. [Moran-Kafka.] [Reported on Senate, No. 353 and House, No. 660.] [Representatives Smith of Everett, Frost of Auburn and Jones of North Reading, of the committee on Election Laws, dissent.]

166. [H. 3220] Bill designating a certain bridge in the town of Foxborough as the Billy Sullivan Memorial Bridge (House, No. 3220). 2d. [Wagner-Kafka.]
167. [H. 4297] Bill relative to pension divestment in the Republic of Iran (House, No. 4297). *Question on passing the bill to be engrossed.* [Spellane-C. A. Murphy-Kafka.] [New draft of House, No. 3727.] [Representative Brownsberger of Belmont of the committee on Public Service, dissents.]
[*The taking of the yeas and nays on the question on passing the bill to be engrossed, having been ordered, on motion of Mr. Spellane of Worcester.*]
237. [H. 4357] Engrossed Bill authorizing the conveyance of certain parcels of land in the town of Sharon (see House, No. 4357). [S.M. Walsh-Kafka.] [Reported on House, No. 3837.]
[Question: *Shall this bill pass, notwithstanding the objections of His Excellency the Governor.*]
[*Returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 4378).*]
256. [H. 4428] Bill making gun law violations subject to dangerousness hearing determinations (House, No. 4428). 2d. [O'Flaherty-Kafka.] [Reported on House, No. 1300.]
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261. [S. 2130] Bill (S.) establishing the position of town clerk in the town of Charlemont (Senate, No. 2130, amended). 2d. [Donato-Kafka.]
[Amended by the Senate by adding the following section:
“SECTION 5. Notwithstanding section 1, the incumbent in the office of town clerk upon the effective date of this act shall continue to hold that office and perform the duties thereof until the expiration of the term for which he was elected and the appointment and qualifications of a successor, or until the incumbent otherwise vacates the office.”.]
262. [S. 2237] Bill (S.) relative to certain affordable housing in the city of Boston (Senate, No. 2237). 2d. [Honan-Kafka.] [Local Approval Received.]
263. [H. 1696] Bill relative to assault and battery on health care providers (House, No. 1696). 2d. [O’Flaherty-Kafka.]
264. [H. 3213] Bill authorizing Southwick’s Zoo to install certain sign (House, No. 3213). 2d. [Wagner-Kafka.]
265. [H. 3301] Bill relative to red and blue flashing, rotating or oscillating lights (House, No. 3301). 2d. [Wagner-Kafka.]
266. [H. 4383] Bill authorizing the town of Norwood to acquire the Norwood Post VFW #2452 building for the ability to lease it to veterans' organizations (House, No. 4383). 2d. [Donato-Kafka.] [Local Approval Received.]

267. [H. 4403] Bill providing for a ballot question in the town of Arlington authorizing the granting of 3 licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4403). 2d. [Speliotis-Kafka.] [Local Approval Received.]