

JOURNAL OF THE HOUSE.

Thursday, March 11, 2010.

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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer. God, our Creator, the Source of Goodness and Truth we pause for a moment of prayer as we turn our attention to You and our thoughts to spiritual values and realities. We believe that Your assistance enables us to set correctly our personal priorities for the day and to keep our personal goals clear in our minds. We also pray for Your gift of wisdom and clarity of thought as we evaluate and address the administrative and legislative matters which come before us. When we examine and disagree on complex, sensitive and controversial issues, teach us to respect the rights and decisions of others. At the same time inspire us to remain faithful to our own philosophical principles and religious beliefs and practices. Help us to be grateful for our blessings, mindful of our responsibilities and open to Your ways.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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.

Resolutions.

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

Joseph W. Furdon. Resolutions (filed by Mr. Vallee of Franklin) congratulating Joseph W. Furdon on receiving the Eagle Award of the Boy Scouts of America;

William P. Tacy. Resolutions (filed by Mrs. Poirier of North Attleborough) congratulating William P. Tacy on his ninetieth birthday;

Union Congregational Church. Resolutions (filed by Mr. Driscoll of Braintree) congratulating Union Congregational Church of Weymouth and Braintree on the occasion of its two hundredth anniversary; and

Hilda Tutton Chase. Resolutions (filed by Ms. Peake of Provincetown) congratulating Hilda Tutton Chase on the occasion of her one hundredth 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 Miss Gregoire of Marlborough, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

The following order (filed by Speaker DeLeo of Winthrop) was referred, under Rule 85, to the committee on Rules:

Ordered, That the precept to be issued by the Speaker, under the provisions of Section 141 of Chapter 54 of the General Laws, appointing a time for the election to fill the vacancy existing in the office of Representative in the General Court from the Sixteenth Essex District shall designate, Tuesday, June 1, 2010 as the time ordered by the House of Representatives for said election.

Sixteenth Essex Representative District,—time for election to fill vacancy.

Mr. Binienda of Worcester, for the committee on Rules, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Pedone of Worcester, the order was considered forthwith; and it was adopted.

Petitions.

Mr. deMacedo of Plymouth presented a petition (subject to Joint Rule 12) of Viriato Manuel deMacedo relative to the penalties imposed for the crime of defrauding or embezzling from non-profit and charitable organizations; and the same was referred, under Rule 24, to the committee on Rules.

Charitable organizations,—defrauding.

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. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Evangelidis of Holden, a petition (subject to Joint Rule 12) of Lewis G. Evangelidis for legislation to prohibit the Registry of Motor Vehicles from imposing additional fees for certain transactions with said department;

Registry of Motor Vehicles,—fees.

By Representative Kulik of Worthington and Senator Downing, a joint petition (subject to Joint Rule 12) of Stephen Kulik and Benjamin B. Downing for legislation to establish a sick leave bank for Judith R. Abraham, an employee of the Department of Developmental Services;

Judith R. Abraham,—sick leave.

By Ms. Polito of Shrewsbury, a petition (subject to Joint Rule 12) of Karyn E. Polito, Bradley H. Jones, Jr., and others for legislation to require dangerousness hearings for defendants arrested in cases of sexual abuse of children; and

Children,—sexual abuse.

By Representative Turner of Dennis and Senator O'Leary, a joint petition (subject to Joint Rule 12) of Cleon H. Turner and Robert A. O'Leary that school districts and cities and towns be authorized to change the use of certain educational buildings under the school building assistance law.

School buildings,—useage.

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

Papers from the Senate.

Safe driving. The House Bill relative to safe driving (House, No. 4475) came from the Senate with the endorsement that said branch had insisted on its amendment (in which the House had non-concurred).

Committee of conference. The bill bore the further endorsement that the Senate had concurred with the House in appointment of a committee of conference on the disagreeing votes of the two branches; and that Senators Baddour, Brewer and Hedlund had been joined as the committee on the part of the Senate.

Bills

Winchendon,— fire chief. Authorizing the town of Winchendon to continue the employment of Allen J. Lafrennie as fire chief (Senate, No. 2066) [Local Approval Received].

Stoughton,— town meeting. Amending the charter in the town of Stoughton relative to filling vacancies among town meeting representatives (Senate, No. 2238) [Local Approval Received].

Candace Cabey,— sick leave bank. Establishing a sick leave bank for Candace Cabey, an employee of the Trial Court (Senate, No. 2273, amended by adding at the end the following sentence: "Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court."; and 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 trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

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.

Water company infrastructure projects. A petition of Michael W. Morrissey relative to water company infrastructure projects, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2320) was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.

Reports of Committees.

Zoological Corporation Board. 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 and 9 be suspended on a petition of Jason Lewis, Elizabeth A. Malia and others relative to the reorganization of the Zoological Corporation Board.

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 Tourism, Arts and Cultural Development. Sent to the Senate for concurrence.

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:

Petition (accompanied by bill) of Linda Dorcena Forry relative to the creation of low profit limited liability company small businesses. To the committee on Community Development and Small Business. Liability companies.

Petition (accompanied by bill) of Michael A. Costello and Steven A. Baddour for legislation to protect citizens of the Commonwealth from unsafe and injurious landfills. To the committee on Environment, Natural Resources and Agriculture. Landfills.

Joint petition (accompanied by bill) of Garret J. Bradley, Robert L. Hedlund and Robert J. Nyman for legislation to establish a regional public safety communications center for the towns of Cohasset, Hingham, Hull and Norwell. To the committee on Public Safety and Homeland Security. Cohasset, etc.

Petition (accompanied by bill) of Martin J. Walsh (with the approval of the mayor and city council) relative to promulgating regulations concerning public works projects in the city of Boston. To the committee on Transportation. Boston,— public works projects.

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

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1964) of Cory Atkins, Bill Bowles and others for legislation to further regulate certain corporations responsible for the installation and maintenance of gas lines or pipes in cities and towns,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy. Gas line or pipe,— installers.

Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on House, No. 2147, a Bill to promote the development of small house nursing homes in Massachusetts (House, No. 4559). Read and referred, under Joint Rule 29, to the committee on Rules of the two branches, acting concurrently. Nursing homes,— development.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 118 and House, No. 268, a Bill to maintain public water systems (House, No. 268). Public water systems.

By the same member, for the same committee, on House, No. 311, a Bill increasing the experience and background necessary to operate low pressure processed steam boilers (House, No. 4558). Steam boiler operators.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill authorizing an alternative mode of design and construction for the relocation and replacement of a water line under the Saugus River (House, No. 4432). Saugus River,— water line.

Weymouth,—
Route 3A.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill relative to the Route 3A corridor in the town of Weymouth (House, No. 3274).

Safe driving.

By the same member, for the same committee, on House, No. 3214, a Bill relative to safe driving (House, No. 4555).

Arlington,—
pedestrian safety.

By the same member, for the same committee, on House, No. 3222, a Bill analyzing vehicle and pedestrian safety on Route 60 in the town of Arlington (House, No. 4556).

Custom vehicles,—
registration.

By the same member, for the same committee, on House, Nos. 3199 and 3201, a Bill relative to the registration and inspection of street rods and custom vehicles (House, No. 4557).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Creditors,—
unwanted communications.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, that the Bill to reduce unwanted communication from creditors to protect the peace and privacy of residents (House, No. 4131) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Oxford,—
liquor license.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Oxford to grant an additional license for the sale of alcohol (printed as Senate, No. 2196).

Thomas Troy,—
sick leave.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Thomas Troy (House, No. 4530).

Route 2,—
Dennis Rindone.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill relative to dedicating a portion of Route 2 to Dennis Rindone (House, No. 1889).

Haverhill,—
Emilio brothers.

By the same member, for the same committee, on a petition, a Bill designating a certain section of state highway Route 110 in the city of Haverhill as the Emilio brothers memorial highway (House, No. 3197).

Newbury,—
John B. Hayden.

By the same member, for the same committee, on a petition, a Bill designating a certain bridge in the town of Newbury in honor of John B. Hayden (House, No. 3337).

Railroad crossings.

By the same member, for the same committee, on a petition, a Bill relative to railroad crossings (House, No. 3359).

Nashua, N.H.—
commuter rail.

By the same member, for the same committee, on a petition, a Bill authorizing the Massachusetts Bay Transportation Authority to enter into agreements to enable extension of commuter rail passenger services to Nashua, New Hampshire (House, No. 3360).

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

Engrossed Bills.

Bills enacted.

Engrossed bills
Relative to the sale of taxi licenses in the town of Brookline (see House, No. 3712);

Authorizing the use of revenues from the Groton Sewer Enterprise Fund (see House No. 4354);

Amending the charter of the town of Groton (see House, No. 4355); and

Providing the voters of the town of Bridgewater a choice of charters for a new form of government (see House, No. 4547);

(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.

The Senate Bill designating a certain bridge in the town of Uxbridge as the Titus Ebbeling Memorial Bridge (Senate, No. 2159), 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.

Third reading bill.

House bills

Authorizing the appointment of retired police officers as special police officers in the town of Norwood (House, No. 1917);

Exempting non-public safety employees from civil service (House, No. 4198);

Third reading bills.

Designating a certain bridge in the town of Mansfield in honor of Staff Sergeant Edward Joseph Pazzit (House, No. 4338, changed) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a municipal building fund and a municipal building committee in the town of West Boylston (House, No. 4390) (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 they were passed to be engrossed. Severally 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 twenty-eight minutes after eleven o'clock A.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.