

JOURNAL OF THE HOUSE.

Monday, March 15, 2010.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Ms. Reinstein of Revere 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 (Ms. Reinstein), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Message from the Governor.

Wilbraham,— validating actions.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating action taken at an annual town meeting, an annual town election of town officers, a special town meeting, an additional special town meeting, and a special election in the town of Wilbraham (House, No. 4564), was filed in the office of the Clerk on Friday, March 12.

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

Resolutions.

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

Thomas Lamb.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) honoring beloved Natick High School football coach Thomas Lamb on the occasion of his retirement;

Andrew Kamarck.

Resolutions (filed by Mr. Turner of Dennis) commending the family of Andrew Kamarck on his being recognized as the recipient of the Brewster Democratic Town Committee's first annual Andrew Kamarck Award; and

Robert J. Knott, Jr.

Resolutions (filed by Mr. Turner of Dennis and other members of the House) congratulating Lieutenant Robert J. Knott, Jr., on the occasion of his retirement;

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

Executive Reorganization Plan No. 1 of 2010.

Reorganization Plan No. 1,— Executive Department agencies.

The Reorganization Plan No. 1 of 2010 (submitted by His Excellency the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) relative to reorganizing certain agencies of the Executive Department (see House, No. 4447) was placed, under Joint Rule 23A, in the Orders of the Day for the next sitting, the question being: "Shall this reorganization plan be approved?"

Report of the Committee on State Administration and Regulatory Oversight on Executive Reorganization Plan No. 2 of 2010.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on the Reorganization Plan No. 2 of 2010 (submitted by His Excellency the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) relative to reorganizing certain agencies of the Executive Department (see House, No. 4541) [for majority report, see Senate, No. 2318],— reported in accordance with a provision of Joint Rule 23A, recommending that said Reorganization Plan Number 2 "ought to be approved". Placed in the Orders of the Day for the next sitting, the question being "Shall this reorganization plan be approved?"

Reorganization Plan No. 2,— Executive Department agencies.

Papers from the Senate.

Bills
Relative to comprehensive siting reform for land based wind projects (Senate, No. 2260) (on Senate bill No. 2245, amended); and
Relative to bullying in schools (Senate, No. 2323) (on Senate bill No. 2313);
Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Wind projects.
Bullying.

Bills
Authorizing the town of Carver to divert funds from the conservation fund (Senate, No. 2095) (on a petition) [Local Approval Received];
Relative to payment for services rendered for extraordinary storm damage in the town of Templeton (Senate, No. 2231) (on a petition) [Local Approval Received]; and
Relative to the Punchard Free School in the town of Andover (Senate, No. 2321) (on Senate bill No. 2152) [Local Approval Received]; and
Resolves
Reviving and continuing the special commission relative to the establishment of a cranberry heritage area (Senate, No. 1876) (on a petition); and
Providing for an investigation and study by a special commission relative to reducing the wait time for medical equipment for children with special health care needs (Senate, No. 2319) (on Senate, No. 800);
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.

Carver,— fund transfer.
Templeton,— storm damage.
Punchard Free School.
Cranberry heritage area.
Medical equipment,— special needs.

A petition of Steven A. Baddour, Bruce E. Tarr and Barbara A. L'Italien for legislation to designate a certain overpass in the city of Haverhill as Captain Richard J. Cashin overpass, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Haverhill,— Cashin Overpass.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2328) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

Snow vehicle stamp program. By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill establishing a snow vehicle land stamp program (House, No. 741).

Agricultural land. By the same member, for the same committee, on a petition, a Bill relative to the leasing of publicly owned land for agricultural purposes (House, No. 843).

Employer assisted housing. By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to employer assisted housing (House, No. 1215).

Foreclosed properties. By the same member, for the same committee, on a petition, a Bill establishing an apprentice training program for the rehabilitation of foreclosed properties (House, No. 1221).

Local mandates. By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on House, No. 4 and a part of House, No. 3, a Bill relative to local mandates (House, No. 4).

Lexington,—municipal lighting. By the same member, for the same committee, on a petition, a Bill to simplify and facilitate the establishment of a municipal lighting plant by the town of Lexington (House, No. 4192) [Local Approval Received].

Needham,—land. By the same member, for the same committee, on a petition, a Bill relative to land transfer (House, No. 4417) [Local Approval Received]. Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Webb state park,—Marys' Pointe. By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill designating a portion of the Captain William K. Webb memorial state park as Marys' Pointe (House, No. 791).

North Andover,—conservation restriction. By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a petition, a Bill modifying a conservation restriction in the town of North Andover (House, No. 598) [Local Approval Received].

North Andover,—spending limits. By the same member, for the same committee, on a petition, a Bill relative to the removal of spending limits in the town of North Andover (House, No. 1897) [Local Approval Received].

North Andover,—town meetings. By the same member, for the same committee, on a petition, a Bill relative to the distribution of simplified rules of procedure for special town meetings in the town of North Andover (House, No. 1899) [Local Approval Received].

North Andover,—warrant. By the same member, for the same committee, on a petition, a Bill relative to the distribution of copies of the warrant in the town of North Andover (House, No. 1900) [Local Approval Received].

North Andover,—improvements hearings. By the same member, for the same committee, on a petition, a Bill relative to the conduct of public hearings on capital improvements plans in the town of North Andover (House, No. 1901) [Local Approval Received].

Municipalities,—revolving funds. By the same member, for the same committee, on a petition, a Bill to simplify the rules for use of municipal departmental revolving funds (House, No. 1988).

Municipal borrowing. By the same member, for the same committee, on a petition, a Bill to improve municipal borrowing procedures (House, No. 1989).

By the same member, for the same committee, on a petition, a Bill relative to municipal stabilization funds (House, No. 1990).

By the same member, for the same committee, on a petition, a Bill authorizing the town of North Andover to incur debt for the replacement of overhead utilities (House, No. 4113) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of North Andover to amend a certain conservation restriction (House, No. 4194) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to land in the town of Plymouth (House, No. 4264) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill to help towns finance school buildings (House, No. 4292).

By the same member, for the same committee, on a petition, a Bill authorizing the town of Manchester-by-the-Sea to grant an easement on certain water protection land (House, No. 4304) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to easements in the town of Andover (House, No. 4318) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Cohasset to grant certain interests in land (House, No. 4322) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the city of Methuen to repay the borrowing of certain monies for the satisfaction of a final judgment under the applicable provisions of Chapter 44 of the General Laws for a period of up to (20) years (House, No. 4404) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill concerning the position of police chief in the town of Belmont (House, No. 4416) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to use of a parcel of land in the city of Woburn for recreational purposes (House, No. 4449) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill authorizing the town of Brewster to use a portion of town-owned land for renewable energy projects (House, No. 4450) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to the transfer of land in the town of Sharon (House, No. 4468) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill establishing a Raynham development revolving fund (House, No. 4485) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to a road maintenance revolving account in the town of Brewster (House, No. 4495) [Local Approval Received].

By the same member, for the same committee, on a petition, a Bill relative to an extension of a lease by the town of Watertown for the Watertown Boys and Girls Club (House, No. 4504) [Local Approval Received].

Municipalities,—stabilization funds. North Andover,—overhead utilities. North Andover,—conservation restriction. Plymouth,—land. School buildings,—financing. Manchester-by-the-Sea,—easement. Andover,—easements. Cohasset,—land. Methuen,—borrowing. Belmont,—police chief. Woburn,—land. Brewster,—land. Sharon,—land. Raynham,—revolving fund. Brewster,—road account. Watertown Boys and Girls Club.

Lunenburg,— sewer service.	By the same member, for the same committee, on House, No. 4467, a Bill relative to the sewer service area for the town of Lunenburg (House, No. 4561) [Local Approval Received]. Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.	House bills Authorizing the town of Oxford to grant an additional license for the sale of alcohol (printed as Senate, No. 2196) [Local Approval Received];	Oxford.
Time-share ownership.	By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill relative to time-share ownership (House, No. 1287) be scheduled for consideration by the House, with an amendment (House, No. 4496) previously recommended by the committee on Consumer Protection and Professional Licensure, pending;	Relative to the disclosure of information held by the disabled persons protection commission pursuant to general laws Chapter 19C (House, No. 142);	Disabled persons.
Identification cards.	By the same member, for the same committee, that the House Bill relative to minimum age requirement for obtaining identification cards (House, No. 3216) be scheduled for consideration by the House, with an amendment (House, No. 4512) previously recommended by the committee on Ways and Means, pending [Representative Polito of Shrewsbury of the committee on Ways and Means dissenting];	Relative to out of state child support (House, No. 184); Creating smoke free elderly housing units in the Commonwealth (House, No. 1243);	Child support. Elderly housing.
Bruce P. Michaud,— license plate.	By the same member, for the same committee, that the House Bill relative to designating a certain motor vehicle plate assignment (House, No. 3253) be scheduled for consideration by the House, with an amendment (House, No. 4515) previously recommended by the committee on Ways and Means, pending [Representative Polito of Shrewsbury of the committee on Ways and Means, dissenting]; and	Opposing unnecessary language restrictions in the workplace (House, No. 1851); Relative to provide funds for ADA compliance in cities and towns (House, No. 1965);	Workplace. ADA funding.
One thousand great places.	By the same member, for the same committee, that the House Resolve to further extend the time within which the special commission established to investigate, study and designate 1,000 great places in the Commonwealth shall file its final report (House, No. 4424) be scheduled for consideration by the House, with an amendment (House, No. 4517) previously recommended by the committee on Ways and Means, pending [Representative Polito of Shrewsbury of the committee on Ways and Means, dissenting]; Severally placed in the Orders of the Day for a second reading, with the amendments pending.	Requiring the posting of security for the seizure and impoundment of animals (House, No. 1969, changed); Relative to at risk dogs (House, No. 1977);	Animals. Dogs.
Allen J. Lafrennie.	By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House: Senate bills Authorizing the town of Winchendon to continue the employment of Allen J. Lafrennie as fire chief (Senate, No. 2066) [Local Approval Received];	Relative to retiree life insurance (House, No. 2361); Promoting traditions and diversity of all citizens of the Commonwealth (House, No. 3141); Designating a portion of Interstate 290 as the Michael Simonelli and Michael Gabriele overpass (House, No. 3171);	Life insurance. Diversity.
Stoughton.	Amending the charter in the town of Stoughton relative to filling vacancies among town meeting representatives (Senate, No. 2238) [Local Approval Received];	Relative to precautions at railroad crossings (House, No. 3206); Punishing interference with the safe operation of trains and other certain common carriers (House, No. 3226);	Route 290,— overpass. Crossings. Rail vehicles.
Juror service.	To improve juror service (Senate, No. 2264);	Relative to the regulation of animal shelters (House, No. 3703); Authorizing the government employers in the county of Dukes County to establish a pooled other post-employment benefits trust fund (House, No. 4105);	Animal shelters. Dukes County.
Id. Candice Caby.	To improve juror service responses (Senate, No. 2265); and Establishing a sick leave bank for Candice Caby, an employee of the Trial Court (Senate, No. 2273, amended); and	Authorizing the Dukes County contributory retirement system to grant certain retirement benefits (House, No. 4174); Expanding the residency reference afforded under the civil service law to candidates for appointment as Brookline police officers to include graduates of Brookline high school (House, No. 4197) [Local Approval Received];	Id. Brookline Police.
		Authorizing the treasurer of the town of Dennis to borrow in anticipation of reimbursement from betterments assessed (House, No. 4244) [Local Approval Received];	Dennis,— borrowing.
		Establishing a shellfish mitigation receipts reserve for appropriation fund in the town of Dennis (House, No. 4245) [Local Approval Received];	Dennis,— shellfish.
		Relative to the Brewster board of water commissioners (House, No. 4279) [Local Approval Received];	Brewster.
		Naming a certain bridge in the town of Dalton (House, No. 4325); Relative to naming the portion of state highway Route 140 located in the town of Upton as the George L. Woods Veterans of Foreign Wars Post #5594 and the Marshall-Leland American Legion Post #173 roadway (House, No. 4334);	Dalton. Upton,— Route 140.
		Relative to the position of appointed treasurer-collector in the town of Freetown (House, No. 4415) [Local Approval Received];	Freetown.
		Relative to national heritage commissions and corridors in the Commonwealth (House, No. 4492);	Heritage commissions.

Mitigation
program.
Thomas
Troy.

Relative to the Bayswater mitigation program (House, No. 4511);
and
Establishing a sick leave bank for Thomas Troy (House, No. 4530);
Severally placed in the Orders of the Day for the next sitting for a
second reading.

Engrossed Bills.

Bills
enacted.

Designating a certain bridge in the town of Uxbridge as the Titus
Ebbeling Memorial Bridge (see Senate, No. 2159) (which originated
in the Senate); and
Relative to elections in the town of Wayland (see House, No. 4256)
(which 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.

Floor
finishing
products.

The House Bill relative to floor finishing products (House, No. 2304)
was read a third time.
The committee on Bills in the Third Reading reported asking to
be discharged from further consideration of the bill; and the report
was accepted.
Pending the question on passing the bill to be engrossed, Mr. Wash
of Boston moved to amend it by substitution of a bill with the same
title (House, No. 4565), which was read.
The amendment was adopted; and the substituted bill was passed
to be engrossed. Sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Ms. Ferrante of Gloucester,—
Ordered, That when the House adjourns today, it adjourn to meet
on Thursday next at eleven o'clock A.M.

At sixteen minutes after eleven o'clock A.M., on motion of
Mrs. Poirier of North Attleborough (Ms. Reinstein of Revere being
in the Chair), the House adjourned, to meet the following Thursday
at eleven o'clock A.M.