

JOURNAL OF THE HOUSE.

Thursday, April 8, 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. Gracious God, Eternal Source of Truth, Hope and Goodness, as we face today's legislative decisions and options we pray for truth in our minds, hope in our souls and goodness in our thoughts. We also pray for the gifts of knowledge which enables us to comprehend issues clearly and wisdom to make the right and wise decisions as we carry out our obligations. May we also keep in mind our personal high ideals and lofty goals as we search together for clear and reasoned responses to the needs of people. In these troublesome times, teach us to be good listeners to the suggestions of constituents who struggle each day to meet their responsibilities. Inspire us to work together in building confidence in our constitutional principles and in our ability to meet the many challenges of the times.

Grant Your blessing to the Speaker, to 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.

Appointment of the Minority Leader.

Water Infrastructure Finance Commission. The Minority Leader announced that he had appointed Mr. Dave Hanlon, the Director of Government Services at WorldTech Engineering, LLC, to serve on the special Water Infrastructure Finance Commission established (under Section 145 of Chapter 27 of the Acts of 2009) to develop a comprehensive, long-range water infrastructure finance plan for the Commonwealth and municipalities.

Guests of the House.

Holy Name Parish School. During the session, the Chair (Mr. Donato of Medford), declared a brief recess, and introduced the sixth grade class from the Holy Name Parish School in West Roxbury. Accompanied by the school's principal, Mrs. Linda Workman, they were the guests of Representative Rush of Boston.

Resolutions.

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

African Lodge No. 459. Resolutions (filed by Ms. Allen of Boston) celebrating the sixth biennial opening of African Lodge No. 459;

Christopher Pittsley. Resolutions (filed by Mr. Fernandes of Milford) congratulating Christopher Pittsley on earning the Eagle Scout Award;

Resolutions (filed by Mr. Kujawski of Webster) congratulating Saint Anne School of Webster on the occasion of their one hundred twenty-fifth anniversary;

Webster,— Saint Anne School.

Resolutions (filed by Mr. Rush of Boston) congratulating Padraig O'Brien upon achieving the rank of Eagle Scout; and

Padraig O'Brien.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Joseph J. Greenburg on the occasion of his one hundredth birthday;

Joseph F. Greenburg.

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

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Callahan of Sutton, a petition (subject to Joint Rule 12) of Jennifer M. Callahan relative to enterprise funds in cities and towns;

Enterprise funds.

By Ms. Ehrlich of Marblehead, a petition (subject to Joint Rule 12) of Lori Ehrlich, Steven J. D'Amico and others relative to the classification of and response to natural gas leaks;

Natural gas leaks.

By Ms. Gifford of Wareham, a petition (subject to Joint Rule 12) of Viriato Manuel deMacedo and Peter J. Opachinski for legislation to further regulate the holding of retained funds from contractors and sub-contractors in private construction;

Retained funds,— regulation.

By Representative Gifford of Wareham and Senator Pacheco, a joint petition (subject to Joint Rule 12) of Susan Williams Gifford and Marc R. Pacheco for legislation to designate a certain bridge in the town of Wareham as the 1st Sgt. Charles W. Parker Memorial Bridge;

Wareham,— Parker bridge.

By Mr. Guyer of Dalton, a petition (subject to Joint Rule 12) of Denis E. Guyer relative to the issuance of firearms identification cards to certain current and former members of the armed forces;

Firearms identification,— armed forces.

By Mr. Keenan of Salem (by request), a petition (subject to Joint Rule 12) of Stefano Picciotto relative to estates of homestead for debt;

Homestead.

By Mr. Keenan of Salem (by request), a petition (subject to Joint Rule 12) of Stefano Picciotto relative to the estate of homestead to the extent of five hundred thousand dollars;

Id.

By Mr. Rush of Boston, a petition (subject to Joint Rule 12) of Michael F. Rush relative to the custody of children by persons on military service overseas; and

Military,— children.

By Representatives Stanley of Newbury and Costello of Newburyport, a petition (subject to Joint Rule 12) of Harriet L. Stanley and Michael A. Costello for legislation to authorize the Governor to designate additional justices of the peace in the towns of Groveland and Rowley.

Groveland and Rowley,— justices of the peace.

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

Papers from the Senate.

The House Bill prohibiting devozalization of dogs and cats (House, No. 344) 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 2359.

Dogs and cats,— devozalization.

Under suspension of Rule 35, on motion of Mr. Pedone of Worcester, 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.

Arlington,—
ballot
question.

The House Bill authorizing the town of Arlington to place a certain town question relative to the sale of alcoholic beverages at the town election (House, No. 4403) came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding any limitations imposed by section 11 of chapter 138 of the General Laws as to the time and manner of voting on the question, the state secretary shall cause to be placed on the official ballot to be used in the town of Arlington at the biennial state election to be held in the year 2010 the following question:— Shall the board of selectmen be authorized to grant up to 3 licenses for the sale of all alcoholic beverages not to be drunk on the premises in replacement of up to 3 existing licenses for the sale of wines and malt beverages not to be drunk on the premises?

Yes _____ No _____.”; and striking out the title and inserting in place thereof the following title: “An act authorizing the placement of a certain question on the ballot to be used at the 2010 biennial state election in the town of Arlington relative to the sale of all alcoholic beverages not to be drunk on the premises.”

Under suspension of Rule 35, on motion of Mr. Garballey of Arlington, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Milton,—
liquor
license.

The Senate Bill to authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 141, amended in section 1, in line 15, by adding the following sentence: “The license may be re-issued by the licensing authority at the same location if an applicant for the license files with the licensing authority a letter in writing from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid. If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.”; and in section 2, in line 16, by inserting after the word “passage” the following “; provided, however, that if the license authorized in section 1 is not issued within 4 years after the effective date of this act, no license shall be granted under this act”) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Bank
charters.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the conversion of a Massachusetts chartered bank or

credit union to a federal or other charter (House, No. 1016),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill designating the Samuel E. Zoll Building (House, No. 1481) be scheduled for consideration by the House.

Salem,—
Samuel E.
Zoll
Building.

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.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, Nos. 915 and 2098, a Bill relative to coverage and standards of treatment of persons with bleeding disorders (House, No. 4590).

Bleeding
disorders.

By the same member, for the same committee, on Senate, No. 844 and House, No. 2082, a Bill relative to nurse anesthetists (House, No. 4593).

Nurse
anesthetists.

By the same member, for the same committee, on House, No. 3598, a Bill to provide coverage for hearing aids (House, No. 4594).

Hearing
aids.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on a petition, a Resolve providing for an investigation and study by a special commission relative to reducing fuel costs of cities and towns (House, No. 3129). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Fuel
costs.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to water management (House, No. 699).

Water
management.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to development of local housing authority surplus land (House, No. 3903).

Housing
land.

By the same member, for the same committee, on House, Nos. 1232, 3571, and 3692, a Bill to stabilize neighborhoods (House, No. 4595).

Neighborhoods.

By Mr. Sánchez of Boston, for the committee on Public Health, on House, No. 3721, a Bill relative to mobile spas (House, No. 4592).

Mobile
spas.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on House, No. 3083, a Resolve providing for a hearing to study commercial tenant energy efficiency (House, No. 4596).

Tenant
energy
efficiency.

By the same member, for the same committee, on House, No. 3084, a Resolve providing for a hearing to study solar hot water installations (House, No. 4597).

Solar
hot
water.

By the same member, for the same committee, on House, No. 3094, a Resolve providing for an investigation and study by a special commission relative developing a wind turbine project in the town of Weymouth (House, No. 4598).

Weymouth,—
wind
turbine.

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

Private
restrooms.

By Mr. Sánchez of Boston, for the committee on Public Health, on Senate, No. 879 and House, No. 2074, a Bill relative to public access of private restrooms (House, No. 2074).

Public
records.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on Senate, No. 1512 and House, No. 3117, a Bill relating the public records law (House, No. 4602).

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

Engrossed Bill.

Bill
re-enacted.

The engrossed Bill relative to assault and battery by means of a bodily substance upon correctional facility employees and expanding the prohibition on the dissemination of obscenity (see Senate, No. 997, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The Senate Bill designating a certain overpass in the city of Haverhill as the Captain Richard J. Cashin Memorial Overpass (Senate, No. 2328), 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
bills.

House bills
Relative to an extension of a lease by the town of Watertown for the Watertown Boys and Girls Club (House, No. 4504); and
Establishing a sick leave bank for Stephanie Savini, an employee of the Trial Court (House, No. 4577) (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.

Next
sitting.

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.

At twenty minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (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.