

JOURNAL OF THE HOUSE.

Monday, April 12, 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:

God of Goodness and Mercy, we depend upon You for guidance as we begin this morning's legislative session. We believe that Your assistance enables us to set our own spiritual and material goals for the day, to organize our agenda for the day and to recognize our daily blessings. In these changing times, inspire us to reason and plan together to address the legislative and administrative challenges which we face, as a society. In discussing sensitive public policy, free our hearts and minds of all discord, confusion and prejudice. Inspire us to seek truth in our search for building a peaceful, just, civil and ethical society in which each individual is respected. May we continue our united efforts to meet the needs of people and the Commonwealth with integrity of heart and singleness of purpose.

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

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.

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 a special town election held in the town of Ashfield (House, No. 4612) was filed in the office of the Clerk on Friday, April 9.

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.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to ensuring the proper conservation of Muskeget Island (House, No. 4613) was filed in the office of the Clerk on Friday, April 9.

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

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to making a technical correction in a

special law relative to certain land in the town of Sherborn (House, No. 4614) was filed in the office of the Clerk on Friday, April 9.

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

Resolutions.

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

Kenneth F. Galligan.

Resolutions (filed by Representatives Creedon of Brockton, Cavanan of Brockton and Brady of Brockton) congratulating Chief Kenneth F. Galligan on the occasion of his retirement;

Timothy Kilduff.

Resolutions (filed by Ms. Dykema of Holliston and other members of the House) honoring Timothy Kilduff and the Boston Marathon on the occasion of the two thousand five hundredth anniversary of the Battle of Marathon;

Dimitri Kyriakides.

Resolutions (filed by Ms. Dykema of Holliston and other members of the House) honoring Dimitri Kyriakides and the Boston Marathon on the occasion of the two thousand five hundredth anniversary of the Battle of Marathon;

Spyros Zagaris.

Resolutions (filed by Ms. Dykema of Holliston and other members of the House) honoring Mayor Spyros Zagaris and the Boston Marathon on the occasion of the two thousand five hundredth anniversary of the Battle of Marathon;

Taunton Women's Club.

Resolutions (filed by Mr. Fagan of Taunton) congratulating the Taunton Women's Club on the occasion of its one hundredth anniversary;

Richard Serino.

Resolutions (filed by Ms. Reinstein of Revere) congratulating Richard Joseph Serino on earning the Eagle Award of the Boy Scouts of America; and

Arthur W. McLaughlin.

Resolutions (filed by Mr. Webster of Hanson and other members of the House) congratulating Major Arthur W. McLaughlin on the occasion of his retirement from the Massachusetts State Police;

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. Mariano of Quincy, 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:

Taunton Hospital,—King Center.

By Representative Fagan of Taunton and Senator Pacheco, a joint petition (subject to Joint Rule 12) of James H. Fagan and Marc R. Pacheco relative to designating the Recovery Resource Center at Taunton State Hospital as the Dr. Marie King Recovery Resource Center;

Vocational schools,—funding.

By Mr. Falzone of Saugus, a petition (subject to Joint Rule 12) of Mark V. Falzone and James Dwyer relative to equal municipal contributions to vocational school districts; and

By Representative Smizik of Brookline and Senator Creem, a joint petition (subject to Joint Rule 12) of Frank I. Smizik and Cynthia Stone Creem relative to the licensure of professional landscape architects;

Landscape architects,—licensure.

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

Papers from the Senate.

A Bill establishing a sick leave bank for John Phelan, an employee of the Massachusetts Department of Transportation (Senate, No. 2350) (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.

John Phelan,—sick leave.

Subsequently, Mr. Kafka of Stoughton, for said committee, reported that the matter be placed in the Orders of the Day for the next sitting for a second reading.

A Bill making appropriations for the fiscal year 2010 to provide for supplementing certain existing appropriations and for certain other activities and projects and improve the fiscal stability of the Commonwealth (Senate, No. 2370) (on Senate, No. 2360), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Supplemental appropriations.

A petition of Frederick E. Berry for legislation to establish a sick leave bank for John Gendreau an employee of the Department of Revenue, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

John Gendreau,—sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2378) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Ms. Forry of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill relative to an economic development reinvestment program (House, No. 4123).

Economic reinvestment.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 20 and a part of House, No. 16, a Bill to assist small business (House, No. 20).

Small businesses.

By the same member, for the same committee, on House, No. 22 and a part of House, No. 16, a Bill to extend the workforce training fund (House, No. 22).

Workforce training fund.

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to a report of firearms statistics (House, No. 2238).

Firearms statistics.

By the same member, for the same committee, on a petition, a Bill relative to the architectural access board (House, No. 3600).

Architectural access board.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to improving public safety and reducing construction costs (House, No. 2969).

Construction,—public safety.

Revenues and expenditures. By the same member, for the same committee, on Senate, Nos. 1410 and 1455 and House, Nos. 2959, 2972, 3617 and 3970, a Bill relative to the Massachusetts revenues and expenditures transparency act (House, No. 2972).

Public Construction,—bidders. By the same member, for the same committee, on a petition, a Bill relative to the determination of the lowest eligible and responsible bidder for certain public construction contracts (House, No. 2979).

Bulk purchasing. By the same member, for the same committee, on a petition, a Bill relative to achieving cost-saving through bulk purchasing programs (House, No. 2991).

Paperwork reduction. By the same member, for the same committee, on Senate, No. 1463 and House, No. 3051, a Bill to reduce paperwork in the commonwealth (House, No. 4606).

Zoological Corporation Board. By Mr. Keenan of Salem, for the committee on Tourism, Arts and Cultural Development, on a petition, a Bill to reorganize the board of the Commonwealth Zoological Corporation (House, No. 4563).

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

Unemployment,—information sharing. By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 18 and a part of House, No. 16, a Bill authorizing the Department of Unemployment Assistance to share information with the joint task force on the underground economy (House, No. 18).

Noncompetition agreements. By the same member, for the same committee, on House, Nos. 1794 and 1799, a Bill relative to noncompetition agreements (House, No. 4607).

Seafood processors. By Mr. Koutoujian of Waltham, for the committee on Financial Services, on a petition, a Bill to assist seafood processors (House, No. 901).

Insurance producers. By the same member, for the same committee, on a petition, a Bill relative to continuing education of insurance producers (House, No. 963, changed in line 4 by inserting before the word "Financial" the words "Insurance and").

MBTA,—station renaming. By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill relative to the MBTA's Copley and Science Park stations (House, No. 3363).

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

Pilot,—rates. By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing the Massachusetts state pilotage rate board (Senate, No. 2174, amended) be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

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

House bills

Newbury — Hayden bridge. Designating a certain bridge in the town of Newbury in the honor of John B. Hayden (House, No. 3337);

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); and
Establishing expanded gaming in the Commonwealth (House, No. 4591)

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

The engrossed Bill authorizing the town of Millis to conduct its annual town election on May 11, 2010 (see House bill printed in House, No. 4578) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more the two-thirds of the members having agreed to pass the same; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Designating a certain overpass in the city of Haverhill as the Captain Richard J. Cashin Memorial Overpass (see Senate, No. 2328) (which originated in the Senate);

Prohibiting devocalization of dogs and cats (see House, No. 344, amended);

Establishing a municipal building fund and a municipal building committee in the town of West Boylston (see House, No. 4390);

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 (see House, No. 4403, amended); and

Exempting the position of chief of police of the town of Natick from the civil service law (see House, No. 4419);

(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 House Bill establishing a sick leave bank for Stephen R. Frataglia, an employee of the Trial Court (House, No. 4576) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. 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 tomorrow at ten o'clock A.M.

Commuter rail,—extension.

Gaming.

Bill enacted.

Bills enacted.

Third reading bill.

Next sitting.

Representatives Jones of North Reading and Grant of Beverly then moved that as a mark of respect to the memory of Francis W. Hatch, Jr., a member of the House from Beverly Farms from 1963 to 1978, inclusive, and the House Minority Leader from 1971 to 1978, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at twenty minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned to meet the following day at ten o'clock A.M.