

### JOURNAL OF THE HOUSE.

Thursday, May 6, 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. Spirit of Truth, Hope and Love, we begin this day and this legislative session with a prayer to remind us of Your presence in our midst and of Your personal concern for our total well-being. We believe that with Your assistance we are able to cope with and address correctly the issues and challenges which we face. Inspire us, in addressing issues, to remain faithful to our moral and philosophical principles. In resolving those legislative and administrative concerns which come before us, teach us to be true to our principles. May we appreciate the blessings and privileges which we enjoy as citizens of this great land. In these uneasy times, help us to build trust in our constitutions, in our institutions and in each other so that our future experience as a nation may be as rich in blessings as our past experiences.

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:

Nicholas John Costello. Resolutions (filed by Mr. Costello of Newburyport) congratulating Nicholas John Costello on receiving a 2010 Essex Heritage Hero Award;

Byron John Mathews. Resolutions (filed by Mr. Costello of Newburyport) congratulating Byron John Mathews on receiving a 2010 Essex Heritage Hero Award;

Maria Miles. Resolutions (filed by Mr. Costello of Newburyport) congratulating Maria Miles on receiving a 2010 Essex Heritage Hero Award;

St. Mary's, — girls ice hockey. Resolutions (filed by Representatives Fennell of Lynn, Ehrlich of Marblehead, Falzone of Saugus and Walsh of Lynn) congratulating the St. Mary's girls ice hockey team on their 2009 perfect season and Division I state championship;

Zachary Berry. Resolutions (filed by Mr. McMurtry of Dedham) congratulating Zachary Berry on receiving the Eagle Award of the Boy Scouts of America;

Robert Powell, Jr. Resolutions (filed by Mr. McMurtry of Dedham) congratulating Robert Powell, Jr. on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Joshua Reynolds on receiving the Eagle Award of the Boy Scouts of America;

Joshua Reynolds.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Joseph Wisialko on receiving the Eagle Award of the Boy Scouts of America;

Joseph Wisialko.

Resolutions (filed by Mr. Smizik of Brookline) congratulating the third grade students at the Edward Devotion School in Brookline on their participation in the school's twenty-sixth annual JFK essay and poetry program; and

Brookline, — Devotion School.

Resolutions (filed by Mr. Smizik of Brookline) congratulating Richard "Dick" McCue upon the receipt of the Temple Emeth's Brotherhood Man of the Year award;

Richard McCue.

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

#### Order.

An order (filed this day by Mr. Donato of Medford) relative to authorizing the committee on Municipalities and Regional Government to travel for the purpose of holding hearings on regionalization, was referred, under Rule 30, to the committees on Rules of the two branches, acting concurrently.

Municipalities and Regional Government, — travel.

Mr. Binienda, for said committees, then reported that the order ought to be adopted. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

#### Petitions.

Petitions severally were presented and referred as follows:

By Representative Naughton of Clinton and Senator Chandler, a joint petition (accompanied by bill, House, No. 4651) of Harold P. Naughton, Jr., Harriette L. Chandler, James B. Eldridge and Karyn E. Polito (by vote of the town) that the town of Northborough be authorized to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Northborough, — liquor license.

By Representative Vallee of Franklin and Senator Spilka, a joint petition (accompanied by bill, House, No. 4652) of James E. Vallee and Karen E. Spilka (by vote of the town) relative to amending the charter of the town of Franklin. To the committee on Municipalities and Regional Government.

Franklin, — town charter.

By Representative Peake of Provincetown and Senator O'Leary, a joint petition (accompanied by bill, House, No. 4656) of Sarah K. Peake and Robert A. O'Leary (by vote of the town) that members of the police department of the town of Provincetown be exempt from provisions of the civil service law. To the committee on Public Service.

Provincetown, — police.

Provincetown,—  
excise tax. By the same members, a joint petition (accompanied by bill, House, No. 4653) of Sarah K. Peake and Robert A. O’Leary (by vote of the town) relative to the disbursement of room occupancy excise tax revenue collected in the town of Provincetown.

Provincetown,—  
rental  
properties. By the same members, a joint petition (accompanied by bill, House, No. 4654) of Sarah K. Peake and Robert A. O’Leary (by vote of the town) that the town of Provincetown be authorized to impose a room occupancy excise tax on vacation rental property in said town.

Duxbury,—  
seawall  
repairs. By Representative Webster of Hanson and Senator Hedlund, a joint petition (accompanied by bill, House, No. 4655) of Daniel K. Webster, Robert L. Hedlund and Thomas J. Calter (by vote of the town) that the town of Duxbury be authorized to assess betterments for certain seawall repair costs. Severally to the committee on Revenue. Severally sent to the Senate for concurrence.

Janet  
Picheny,—  
creditable  
service. Representative Kafka of Stoughton and Senator Timilty presented a joint petition (subject to Joint Rule 12) of Louis L. Kafka and James E. Timilty for legislation to authorize Janet Picheny to purchase certain creditable service for retirement purposes, and the same was referred, under rule 24, to the committee on Rules.

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 Ms. Wolf of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Provincetown  
and Truro,—  
agreement. Representative Peake of Provincetown and Senator O’Leary presented a joint petition (subject Joint Rule 12) of Sarah K. Peake and Robert A. O’Leary relative to an intermunicipal agreement between the towns of Provincetown and Truro; and the same was referred, under Rule 24 to the committee on Rules.

*Paper from the Senate.*

Holyoke,—  
charter  
commission. A petition (accompanied by bill, Senate, No. 2408) of Michael R. Knapik and Michael F. Kane (with the approval of the mayor and city council) for legislation to validate the election of a charter commission in the city of Holyoke, was referred, in concurrence, to the committee on Election Laws.

*Reports of Committees.*

Saugus  
Watershed  
Commission,—  
Rumney  
Marsh. Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4431) of Kathi-Anne Reinstein to include the Saugus River Watershed on the Citizens Advisory Board on uses of the Rumney Marsh Area. Under suspension of the rules, on a motion of Ms. Wolf of Cambridge, the report was considered forthwith. Pending the question on acceptance of the report, the petition was recommitted, on motion of Ms. Reinstein of Revere.

By Ms. Walz of Boston, for the committee on Education, on House, No. 432, a Bill relative to improving SAT scores (House, No. 4644). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. SAT scores,—  
improvement  
study.

By Ms. Walz of Boston, for the committee on Education, on House, No. 6 and a part of House, No. 3, a Bill relative to financial requirements of business, correspondence, and trade schools (House, No. 6, changed in section 1, in line 2, in section 2, in line 10, and also in section 3, in line 19, by striking out the word “may” and inserting in place thereon, in each instance, the word “shall”). Business  
and trade  
schools,—  
reporting.

By the same member, for the same committee, on a petition, a Bill relative to Chapter 70 (House, No. 354, changed in line 3 by striking out the word “communities” and inserting in place the word “municipalities”; and in line 4 by striking out the word “whose” and inserting in place the following: “at least 20 per cent of its”). Education  
funding.

By the same member, for the same committee, on a petition, a Bill to include military reservation students into state reimbursement aid (House, No. 464). Military  
students.

By the same member, for the same committee, on Senate, No. 218 and House, Nos. 402 and 3434, a Bill relative to health education (House, No. 4630). Health  
education.

By the same member, for the same committee, on Senate, No. 238 and House, No. 501, a Bill relative to mobile student populations (House, No. 4634). Mobile  
students.

By the same member, for the same committee, on House, No. 473, a Bill allowing non-public school students to take the MCAS exam (House, No. 4646). MCAS,—  
non-public  
students.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill relative to certain Option B and Option C retirees (House, No. 2448). Retirees.

By Mr. Kaufman of Lexington, for the committee on Revenue, on Senate, No. 1866, a Bill establishing pilot artist enterprise zones (House, No. 4643). Artist  
enterprise  
zones.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, on a petition, a Bill to promote the use of green taxicabs (House, No. 728). Green  
taxicabs.

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

By Ms. Walz of Boston, for the committee on Education, on House, Nos. 371 and 529, a Bill for equity for school principals (House, No. 371, changed by striking out section 2). School  
principals.

By the same member, for the same committee, on House, No. 447, a Bill relative to the board of elementary and secondary education (House, No. 4645). Education  
board.

By the same member, for the same committee, on House, No. 356, a Bill relative to disclosure of employment information (House, No. 4647). Jobs,—  
immunity.

By Mr. Moran of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating action taken at a special town election held in the town of Ashfield (printed in House, No. 4612). Ashfield,—  
election.

Mercury  
management.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to mercury management (House, No. 3443).

Private  
construction  
contracts.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 4582, a Bill promoting fairness in private construction contracts (House, No. 4641).

Muskeget  
Island,—  
conservation.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill to ensure the proper conservation of Muskeget Island (printed in House, No. 4613).

Sherborn,—  
town  
forest.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Sherborn to use certain town forest land (House, No. 4585) [Local Approval Received].

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

*Engrossed Bills.*

Bills  
enacted.

Engrossed bills  
Relative to payment for services rendered for extraordinary storm damage in the town of Templeton (see Senate, No. 2231);  
Amending the charter of the town of Stoughton (see Senate, No. 2238); (Which severally originated in the Senate);  
Establishing the Sherwood Forest Lake District in the town of Becket (see House, No. 3702); and  
Exempting certain employees in the town of Brookline from the civil service laws (see House, No. 4198, amended);  
(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.*

Third  
reading  
bill.

The Senate Bill authorizing the town of Wilbraham to provide certain benefits to Christopher J. Doyle (Senate, No. 2104), 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.

*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.

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At twenty-five minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (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.