

**JOURNAL OF THE HOUSE.**

Monday, May 24, 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, at the beginning of this new work week we turn our attention and thoughts to You, to spiritual values and Your ways which offer meaning to and directions for our daily living. In struggling with the issues and items which come before us, let our hearts and minds be filled with the spirit of understanding, truth, knowledge and peace. May we be open to the suggestions of others as we propose and address legislation which, in our opinion, will benefit the people and our society in these unusual times. When we disagree on issues and public policy, teach us to respect the suggestions and principles of others. At the same time may we remain faithful to our own principles, values and beliefs as we labor to build safe, peaceful and prosperous communities.

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:

Michael Abbott. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Michael Abbott on receiving the Eagle Award of the Boy Scouts of America;

Daniel Bartlett. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Daniel Bartlett on receiving the Eagle Scout Award of the Boy Scouts of America;

Andrew Fiore. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Andrew Fiore on receiving the Eagle Scout Award of the Boy Scouts of America;

Adam Marsan. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Adam Marsan on receiving the Eagle Scout Award of the Boy Scouts of America;

Bradford McKeen. Resolutions (filed by Representatives Poirier of North Attleborough, Barrows of Mansfield and D'Amico of Seekonk) congratulating Bradford McKeen on receiving the Eagle Scout Award of the Boy Scouts of America;

Resolutions (filed by Mr. Barrows of Mansfield) congratulating Jeremy Pace Gygi on receiving the Eagle Award of the Boy Scouts of America;

Jeremy Pace Gygi.

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

Christopher Baza.

Resolutions (filed Mr. Kujawski of Webster) congratulating Corporal John Silvestri on becoming the Grand Marshall of the 2010 Memorial Day Parade;

John Silvestri.

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.

*Order.*

An order (filed this day by Speaker DeLeo of Winthrop) relative to authorizing the Senate committee on Post Audit and Oversight, the House committee on Post Audit and Oversight and the joint committee on Environment, Natural Resources and Agriculture to sit jointly and hold hearings on the rupture of the MetroWest Water Supply Tunnel (House, No. 4702), was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

MWRA,—water flow disruption.

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

*Annual and Special Reports.*

Annual report of the Division of Health Care Finance Policy (under the provisions of Section 6A of Chapter 118G of the General Laws) of acute hospital financial performance in the Commonwealth for fiscal year 2009; and

Hospitals,—finances.

Special report of the Division of Health Care Finance Policy (under the provisions of Section 35 of Chapter 305 of the Acts of 2008) relative to reserves, endowments and surpluses of hospitals in the Commonwealth.

Id.

Severally were spread upon the records of the House; and placed on file.

*Petitions.*

By Representative Alicea of Charlton and Senator Moore, a joint petition (accompanied by bill, House, No. 4695) of Geraldo Alicea and Richard T. Moore (with the approval of the town council) for legislation to authorize the town of Southbridge to issue bonds for school improvement projects;

Southbridge,—bonds.

By Mr. Smith of Everett, a petition (accompanied by bill House, No. 4696) of Steven Stat Smith (with the approval of the mayor, board of aldermen and common council) that the city of Everett be authorized to establish a revolving fund for linkage fees; and

Everett,—linkage fees.

Everett,—  
inspectional  
services.

By Mr. Smith of Everett, a petition (accompanied by bill, House, No. 4697) of Steven Stat Smith (with the approval of the mayor, board of aldermen and common council) that the city of Everett be authorized to establish a department of inspectional services.  
Severally to the committee on Municipalities and Regional Government.  
Severally sent to the Senate for concurrence.

*Papers from the Senate.*

**Bills**

Water  
facilities,—  
inspection.

Authorizing governmental bodies to enter into contracts for the inspection, maintenance, repair or modification of water storage facilities (Senate, No. 2449) (on Senate bill, No. 2135); and

Aquatic  
nuisances.

Protecting lakes and ponds from aquatic nuisances (Senate, No. 2450) (on Senate bill, No. 2374).

Severally, passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

*Reports of Committees.*

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:

Elise  
Lachance,—  
sick leave.

Petition (accompanied by bill) of David B. Sullivan relative to establishing a sick leave bank for Elise Lachance, an employee of the Department of Corrections.

Carol  
Roberts,—  
sick leave.

Petition (accompanied by bill) of David B. Sullivan relative to establishing a sick leave bank for Carol Roberts, an employee of the Department of Transitional Assistance. Severally to the committee on Public Service.

Teachers,—  
parochial  
schools.

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

Employment  
agencies,—  
regulations.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill regarding protections extended to lay teachers in parochial schools (House, No. 1848),— and recommending that the same be referred to the House committee on Ways and Means.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill updating and streamlining the regulation of employment agencies (House, No. 4623),— and recommending that the same be committed to the committee on Labor and Workforce Development.

Severally, under Rule 42, the reports were considered forthwith; and they were accepted.

Military  
personnel,—  
license  
plates.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a message from His Excellency the Governor, a Bill relative to special license plates for certain military personnel (printed in House, No. 4588). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill making a technical correction in a special law relative to certain land in the town of Sherborn (printed in House, No. 4614).

Sherborn,—  
land.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill to include the Saugus River watershed on the citizens advisory board on uses of the Rumney Marsh area (House, No. 4431).

Rumney  
Marsh  
Reservation.

By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill designating a certain bridge as the United States Marine Corporal Nicholas G. Xiarhos bridge (House, No. 4616).

Dennis and  
Yarmouth,—  
Xiarhos  
Bridge.

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

*Orders of the Day.*

The House Bill relative to noncompetition agreements (House Bill No. 4607) was read a second time.

Noncompetition  
agreements.

Pending the question on ordering to a third reading, it was referred to the committee on the Judiciary, on motion of Mr. Pedone of Worcester. Sent to the Senate for concurrence in the reference.

*Order.*

On motion of Mr. DeLeo of Winthrop,—  
*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next  
sitting.

At a half past 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 day at eleven o'clock A.M., in an Informal Session.