

JOURNAL OF THE HOUSE.

Thursday, June 10, 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, the Creator of Heaven and Earth, we are gathered here for a moment of personal reflection and prayer at the opening of today's legislative session. Our primary intention for this day is to serve You, our families and constituents, who depend upon our mature and sound and reasoned decisions, in a faithful and honorable manner. Help us to be successful in achieving this goal as we carry out our many, often difficult, responsibilities. Inspire us, as elected leaders, to build confidence and trust in You, each other and our constitu-
Prayer.

tions. Let our diverse communities and the Commonwealth itself enjoy peace, prosperity and equal opportunities for all. In Your goodness help us to keep our priorities and objectives in clear focus so that our own lives will have direction and meaning. Let our choices and decisions be based on traditional principles and values, both material and spiritual.

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.
Pledge of allegiance.

Resignation of Representative St. Fleur of Boston.

The following communication was read; and spread upon the records of the House, as follows:

June 8, 2010.

Steven T. James, *House Clerk*
 Massachusetts House of Representatives
 Room, 145
 State House Boston, MA 02133

Dear Mr. James:

I am resigning from the position of State Representative for the 5th Suffolk District effective Friday, June 11, 2010. It has been my honor to serve as a member of this august body for over ten years. I leave having made wonderful friendships in this building and deeply appreciative of the quality of the work I've been privileged to engage in on behalf of the people of this great Commonwealth.

Resignation of
 Representative
 Marie P.
 St. Fleur of
 Boston.

I look forward to the future and leave with the certainty of knowing that in my life's journey this was a road worth travelling.

Warmest regards,

MARIE P. ST. FLEUR,
State Representative.

Statement of Mr. Spellane of Worcester.

A statement of Mr. Spellane of Worcester was spread upon the records of the House, as follows:

Statement of Mr. Spellane of Worcester.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for yesterday's sitting due to my attendance of a school field trip with my daughter and, later, attending a presentation in my son's classroom. My missing of roll calls yesterday is due entirely to the reason stated.

Guests of the House.

Wyman Elementary School students.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess, and introduced a group of 29 first grade students from the Wyman Elementary School in the city of Woburn who were seated in the House Chamber. Accompanying the students were their teachers Nancy Hubbard and Mary Danehy and 15 parents of the students. They were the guests of Representative Dwyer of Woburn.

Resolutions.

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

Community Covenant Program.

Resolutions (filed by Mr. Hill of Ipswich and other members of the House) supporting the United States Army Community Covenant Program;

Admetech Foundation.

Resolutions (filed by Mr. Greene of Billerica and other members of the House) recognizing Admetech Foundation as host of the second annual Prostate Cancer Awareness Day at the Massachusetts State House on June 16, 2010; and

Sean Egan Steinberg.

Resolutions (filed by Mr. Rush of Boston) congratulating Sean Egan Steinberg upon achieving the rank of Eagle Scout.

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

Petition.

George Rivera,—sick leave.

Mr. Fagan of Taunton presented a petition (subject to Joint Rule 12) of James H. Fagan for legislation to establish a sick leave bank for George Rivera, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Binenda 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 sus-

pension of the rules, on motion of Mr. Dwyer of Woburn, 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.

Papers from the Senate.

The Senate Bill reforming the administrative procedures relative to criminal offender record information and pre- and post-trial supervised release (Senate, No. 2220) came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4712).

Criminal offender record information.

The bill bore the further endorsement that the Senate had asked for a committee of conference on the disagreeing votes of the two branches; and that Senators Creem, Tolman and Tarr had been appointed the committee on the part of the Senate.

On motion of Mr. O'Flaherty of Chelsea, the House insisted on its amendment, concurred in the appointment of a committee of conference; and Representatives O'Flaherty, Speranzo of Pittsfield and Webster of Pembroke were appointed the committee on the part of the House. Sent to the Senate to be noted.

Committee of conference.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2477) of Michael W. Morrissey for legislation to expand certain automobile insurance coverage options. To the committee on Financial Services.

Automobile insurance.

Petition (accompanied by bill, Senate, No. 2478) of Michael W. Morrissey for legislation relative to assault and battery attempting to disarm a police officer;

Police,—crimes against.

Petition (accompanied by bill, Senate, No. 2479) of Michael W. Morrissey, Steven A. Baddour, James E. Timilty, William R. Keating and others for legislation relative to the definition of attempt in criminal cases.

Criminal intent.

Severally to the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 2480) of Michael W. Morrissey for legislation to prohibit the adverse possession of state, county and municipal land.

Adverse possession.

Petition (accompanied by bill, Senate, No. 2481) of Stanley C. Rosenberg and Christopher J. Donelan for legislation to change the use of a certain parcel of land in the town of Greenfield.

Greenfield,—land.

Severally to the committee on State Administration and Regulatory Oversight.

Reports of Committee.

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:

Petition (accompanied by bill) of Sarah K. Peake and Robert A. O'Leary relative to an intermunicipal agreement between the towns of Provincetown and Truro. To the committee on Municipalities and Regional Government.

Truro, etc,—agreement.

- Robert W. Otto,—
retirement.
- Petition (accompanied by bill) of David L. Flynn and Marc R. Pacheco that the Teachers' Retirement Board be directed to grant certain retirement credit to Robert W. Otto for time served in the armed forces. To the committee on Public Service.
- MBTA,—
Science Park Station.
- Petition (accompanied by bill) of Martha M. Walz that the Division of Capital Asset Management and Maintenance be authorized to transfer the care, custody and control of a certain parcel of land for improvements to the MBTA Science Park Station. To the committee on State Administration and Regulatory Oversight.
- Gas appliance,—
ignitions.
- Petition (accompanied by bill) of Michael A. Costello relative to the definition of gas appliances and the equipping of such appliances with automatic ignition devices. To the committee on Telecommunications, Utilities and Energy.
- Under suspension of the rules, on motion of Mrs. Wolf of Cambridge, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.
- Job creation.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, asking to be discharged from further consideration of so much of the message from His Excellency the Governor recommending legislation relative to providing for job creation by small businesses (House, No. 4490), as relates to sections 32 to 52, inclusive,— 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. Sent to the Senate for concurrence.
- Independent contractors.
- By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on House, No. 1844, a Bill relative to independent contractors (House, No. 4748).
- Janet Picheny,—
retirement.
- By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill allowing Mrs. Janet Picheny to purchase creditable service with the Massachusetts Teachers Retirement System (House, No. 4659).
- Severally read; and referred, under Rule 33, to the committee on Ways and Means.
- Provincetown,—
civil service exemption.
- By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill exempting all positions in the Provincetown police department from the civil service law (House, No. 4656) [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.
- Order.*
- 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.
- Next sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (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.