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The Commonwealth of Massachusetts

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**JOURNAL OF THE HOUSE.**



MONDAY, AUGUST 10, 2009.

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## JOURNAL OF THE HOUSE.

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Monday August 10, 2009.

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, we believe that You are the Eternal Source of Truth, Hope and Wisdom. In addressing legislative and personal issues and matters today and every day, we pray for truth in our minds, hope in our wills and wisdom in our decision-making actions. In this era of often complex political, social and economic challenges, inspire us to select the right, just and moral options which are open to us. In dialoguing and reasoning together in our common search for the truth and the best solutions to our current societal needs, teach us to continue to respect the constitutional rights of all. Let us focus our disagreements on issues, principles and our value system. Grant us the good sense to strengthen our basic institutions, our families and our respect for the dignity of each individual in our community.

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.

### *Message from the Governor — Disapprovals and Reductions in Supplemental Appropriation Bill.*

Supplemental appropriation.

A message from His Excellency the Governor returning with his disapproval or reduction of certain items contained in sections 2 and 2A and his disapproval of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2010 to provide for supplementing certain existing appropriations and for certain other activities and projects [see House, No. 4181] (for message, see House, No. 4206), was filed in the office of the Clerk on Friday, August 7.

The message was read; and referred, under Rule 30, to the committee on Ways and Means.

### *Message from the Governor — Veto.*

Capital gains revenue.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill providing for reporting dates for capital gains revenue and transferring certain funds [see House, No. 4142, amended] (for message, see House, No. 4207), was filed in the office of the Clerk on Friday, August 7.

The message was read; and placed, under House Rule 12, in the Orders of the Day for the next sitting.

*Resolutions.*

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

Resolutions (filed by Ms. Peake of Provincetown) congratulating the *Hosteling International USA-Eastern New England Council* on the occasion of its seventy-fifth anniversary; Hosteling International.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Hayden P. Doughty of the town of Wrentham upon his elevation to the rank of Eagle Scout; Hayden P. Doughty.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Michael W. Zagieboylo of the town of Norfolk upon his elevation to the rank of Eagle Scout; and Michael W. Zagieboylo.

Resolutions (filed by Mr. Swan of Springfield) congratulating Viola Sylvia Smith Goodman on her ninety-seventh birthday and the Smith-Eady family reunion; Viola Sylvia Smith Goodman.

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

*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 petition of Peter V. Kocot and Stanley C. Rosenberg for legislation to establish a sick leave bank for Deborah Armstrong, an employee of Franklin/Hampshire division of the Juvenile Court Department of the Trial Court. Deborah Armstrong,—  
sick leave bank.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill establishing a visitors and education center in the Freetown State Forest in the town of Freetown (House, No. 768). Freetown,—  
visitor education center.

By the same member, for the same committee, on a petition, a Bill providing for the transfer of certain state real property to the town of Hopkinton (House, No. 3882). Hopkinton,—  
land transfer.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the city of Salem to grant a liquor license to Derby Deli, Inc. (House, No. 1128) be scheduled for consideration by the House. Salem,—  
liquor license.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Bruce Bagdasarian,—  
sick leave  
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill establishing a sick leave bank for Bruce Bagdasarian an employee of the Westborough State Hospital (House, No. 1915) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

*Emergency Measures.*

Lawrence,—  
Mary L.  
Girouard  
flagpole.

The engrossed Bill designating a certain flagpole at Lawrence Heritage State Park as the Mary L. Girouard flagpole (see House bill printed as Senate, No. 1470), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Theodore S.  
Bielecki,—  
sick leave  
bank.

The engrossed Bill establishing a sick leave bank for Theodore S. Bielecki, an employee of the Department of Correction (see Senate No. 2110), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

*Bill Enacted.*

Bill  
enacted.

The engrossed Bill establishing a town meeting form of government for the town of Hanover (see House, No. 1123), (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; and it was signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

Third  
reading  
bill.

The House Bill relative to a license for the sale of alcoholic beverages in the city of New Bedford (House, No. 4183) (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.*

Next  
sitting.

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

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MONDAY, AUGUST 10, 2009.

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At sixteen 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 Thursday at eleven o'clock A.M., in an Informal Session.