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The Commonwealth of Massachusetts

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**JOURNAL OF THE HOUSE.**



THURSDAY, AUGUST 27, 2009.

[86]

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## JOURNAL OF THE HOUSE.

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Thursday, August 27, 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).

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.

### *Silent Prayer.*

Senator  
Edward M.  
Kennedy.

At the request of Mr. DeLeo of Winthrop, the members, guests and employees stood in a moment of silent prayer in honor of United States Senator Edward M. Kennedy, who passed away on August 26, 2009 at the age of 77. Senator Kennedy represented the people of Massachusetts in the Senate for 47 years and was known throughout the nation and the world as a champion of civil rights, social justice, affordable health care and working families. His loss is deeply felt by citizens of the Bay State and of the nation. The Massachusetts House of Representatives extends its deepest condolences to the Kennedy family in their time of grief and remembrance.

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

Keith  
Bianchini,—  
sick leave  
bank.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing a sick leave bank for Keith Bianchini, an employee of the Department of Correction [see House, No. 2365] (for message, see House, No. 4221), was filed this day in the office of the Clerk.

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

### *Message from the Governor.*

Sherborn,—  
election.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the town of Sherborn's annual town election held on May 12, 2009 (House, No. 4222), was filed in the office of the Clerk on Wednesday, August 26.

The message was read; and it was referred, under Rule 30, to the committee on Election Laws. Sent to the Senate for concurrence.

### *Resolutions.*

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

Alice T.  
O'Neil.

Resolutions (filed by Representatives Fennell of Lynn, Walsh of Lynn, Falzone of Saugus and Ehrlich of Marblehead) honoring Alice T. O'Neil on the occasion of her retirement; and

Resolutions (filed by Mr. Nyman of Hanover) congratulating Genevieve Louise Coulstring on the occasion of her eightieth birthday; Genevieve  
Louise  
Coulstring.

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. Kafka of Stoughton, 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 as follows:

By Mr. Speliotis of Peabody, petition (accompanied by bill, House, No. 4219) of Theodore C. Speliotis and Fredrick E. Berry (with the approval of the mayor and city council) relative to the election calendar in the city of Peabody. To the committee on Election Laws. Peabody,—  
election  
calendar.

By Ms. Gifford of Wareham, a joint petition (accompanied by bill, House, No. 4220) of Susan Williams Gifford and Marc R. Pacheco (by vote of the town) relative to property taxes in the town of Carver. To the committee on Revenue. Carver,—  
property  
taxes.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Aguiar of Fall River, petition (subject to Joint Rule 12) of Kevin Aguiar and Paul McMurtry that the honor roll erected on the U.S.S. Massachusetts honor those individuals from the Commonwealth. U.S.S.  
Massachusetts,—  
honor roll.

By Mr. Costello of Newburyport, petition (subject to Joint Rule 12) of Michael A. Costello for legislation to establish a sick leave bank for Anne Smith, an employee of the Department of Revenue. Anne  
Smith,—  
sick leave.

By Mr. McMurtry of Dedham, petition (subject to Joint Rule 12) of Paul McMurtry for legislation to establish a sick leave bank for Oliva Mulhall, an employee of the Department of the Trial Court. Oliva  
Mulhall,—  
sick leave.

By Mr. Rush of Boston, petition (subject to Joint Rule 12) of Michael F. Rush, Michael O. Moore and others relative to the format on civil service exams. Civil  
service  
exams.

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

*Papers from the Senate.*

A report from the committee on State Administration and Regulatory Oversight, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1437) of Richard T. Moore, James B. Eldridge, Susan c. Tucker, Robert A. O'Leary and other members of the General Court for legislation to improve public contract with Massachusetts farmers,— and recommending the same be referred to the committee on Public Health, accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted in concurrence. Massachusetts,—  
farm  
contracts.

Real estate appraisers,— registration.

A petition of Richard R. Tisei for legislation relative to the period of registration of real estate appraisers, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2134) was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

*Reports of Committees.*

Chelmsford,— utility poles.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the House Bill to authorize the town of Chelmsford to regulate the removal of above ground utility poles and overhead wires and other associated structures and to regulate the installation of underground wires and associated structures (House, No. 3700),— 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.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Mr. DeLeo of Winthrop then moved that as a mark of respect to the memory of Senator Edward M. Kennedy, a member of the United States Senate from Massachusetts from 1962 to 2009, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at nine minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.