

UNCORRECTED PROOF

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, SEPTEMBER 8, 2009.

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JOURNAL OF THE HOUSE.

Tuesday, September 8, 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:

God, Our Creator, the Ultimate Source of Our Hope and of Truth, we begin this legislative session with a prayer in which we seek Your guidance during the course of the day. In Your goodness, inspire us to select the most responsible personal and legislative options which are available to us as we implement our choices and decisions. At the beginning of a new school year for our students and teachers, help us to emphasize the importance of education in the lives of our young people and for the future of our society. Grant us the wisdom to challenge our students to recognize and to utilize their personal talents, opportunities and intellectual gifts. May we also remind students of their personal and moral responsibilities as citizens of the country and the Commonwealth. Teach us, as a society, to encourage all people to do their part in building communities in which the dignity of all is respected and we together promote the common good of all.

Grant Your blessings to the Speaker, the members and employees of this House and to 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.

Resolutions.

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

Resolutions (filed by Messrs. Pignatelli of Lenox, Bosley of North Adams, Guyer of Dalton and Speranzo of Pittsfield) congratulating Berkshire Community College on its golden anniversary celebration; and

Resolutions (filed by Mr. Pignatelli of Lenox) celebrating the one hundredth anniversary of the Lenox Fire Department;

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.

Mr. Bradley of Hingham presented a petition (subject to Joint Rule 12) of Garrett J. Bradley for legislation to provide "welcome home bill" bonuses for every overseas deployment of military

Military bonuses,—multiple deployments.

personnel who are residents of the Commonwealth, 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. Dykema of Holliston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Veterans and Federal Affairs. Sent to the Senate for concurrence.

Cottage communities,—
licensing.

Mr. Turner of Dennis presented a petition (subject to Joint Rule 12) of Cleon H. Turner and others relative to establishing licensing requirements and protections for certain cottage communities, 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. Dykema of Holliston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Mary Markley,—
sick leave bank.

Representative O'Day and Senator Chandler presented a joint petition (subject to Joint Rule 12) of James J. O'Day and Harriett L. Chandler for legislation to establish a sick leave bank for Mary Markley, an employee of the Trial Court; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Petitions were referred, in concurrence, as follows:

Raynham,—
dog racing.

Petition (accompanied by bill, Senate, No. 2138) of Marc R. Pacheco (by vote of the town of Raynham) for legislation relative to the extension of greyhound racing. To the committee on Consumer Protection and Professional Licensure.

Middleborough,—
land.

Petition (accompanied by bill, Senate, No. 2139) of Marc R. Pacheco, Thomas J. Calter, Stephen R. Canessa and William M. Straus (by vote of the town) for legislation relative to a land acquisition fund in the town of Middleborough;

Wareham,—
Weweantic sewer project.

Petition (accompanied by bill, Senate, No. 2140) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to the interest rate to be charged upon apportioned betterment assessments for the Weweantic sewer project in the town of Wareham; and

Wareham,—
betterment assessments.

Petition (accompanied by bill, Senate, No. 2141) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to interest rates to be charged upon apportioned betterment assessments in the town of Wareham;

Severally to the committee on Municipalities.

Petition (accompanied by bill, Senate, No. 2143) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Carver to assess excise taxes on private water suppliers;

Carver,—
water
suppliers.

Petition (accompanied by bill, Senate, No. 2144) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to property taxes in the town of Carver; and

Carver,—
property
taxes.

Petition (accompanied by bill, Senate, No. 2145) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation relative to payment of property taxes in the town of Carver;

Id.

Severally to the committee on Revenue.

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 Susan Williams Gifford for legislation to increase the amount of earnings that a retired public employee may be paid for certain additional public service.

Retired
public
employee,—
limit
earnings.

Under suspension of the rules, on motion of Ms. Dykema of Holliston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Public Service. Sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the House Bill relative to gasoline dealers (House, No. 4187),— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy. Under Rule 42, the report was considered forthwith; and it was accepted.

Gasoline
dealers.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the town of Fairhaven issuing a common victualer beer and wine license to Katherine Psychopaidas, manager, Mermaids Seafood Restaurant & Grille, 15 Sarah's Way in the town of Fairhaven (House, No. 1908) be scheduled for consideration of the House.

Fairhaven,—
liquor
license.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill relative to the interest rate to be charged upon apportioned betterment assessments for water and sewer projects in the town of Mattapoisett (House, No. 1910) be scheduled for consideration of the House.

Mattapoisett,—
sewer
projects.

Under suspension of Rule 7A, on motion of Mrs. Poirier of North Attleboro, the bill was read a second time forthwith; and it was ordered to a third reading.

Antonio
Bell,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Antonio Bell (House, No. 4203) be scheduled for consideration of the House.

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

Susan
Harper,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Susan Harper, an employee of the Department of Developmental Services (House, No. 4211) be scheduled for consideration of the House.

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

Joanna
Cross,—
sick leave
bank.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Joanna Cross (House, No. 4212) be scheduled for consideration of the House.

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

Asperger
Syndrome.

By Mr. Binienda of Worcester, for the committee on Rules of the two branches, acting concurrently, that the Bill establishing a pilot program for adults with Asperger Syndrome and Autism (House, No. 156) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Autism
commission.

By Mr. Binienda of Worcester, for the committee on Rules of the two branches, acting concurrently, that the Bill establishing an autism commission (House, No. 155) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Constables,—
reporting.

By Mr. Donato of Medford, to the committee on Municipalities and Regional Government, on a petition, a Bill regulating reporting requirements of constables (House, No. 1987). Read; and referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Authorizing the town of Brookline to lease certain town-owned property (see House, No. 3711);

Authorizing the town of Brookline to lease certain town-owned land (see House, No. 3713); and

Relative to the office of chief of the fire department of the town of Brookline (see House, No. 3826);

(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.

The House Bill establishing a sick leave bank for Deborah Armstrong, an employee of the Trial Court (House, No. 4209) (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. Third reading bill.

Order.

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. Next sitting.

At a twenty-five minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.