

JOURNAL OF THE HOUSE.

Thursday, September 9, 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, in Whom we place our hope and trust, our personal intention for the day is to serve You, our constituents and our families conscientiously and honorably. As we set our agenda for this day teach us to keep all legislative and personal matters and issues in proper perspective. We pray for the wisdom to make objective judgments, the courage to remain faithful to our basic principles and the determination to offer You our best and sincere efforts. Today the Jewish community around the world is observing and celebrating Rosh Hashanah, the Jewish New Year. We join our Jewish associates and friends in observing this special day and wish them peace, good health and happiness.

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.

Roberta G. Doering. Resolutions (filed with the Clerk by Ms. Sandlin of Agawam) on the occasion of Roberta G. Doering school naming ceremony, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported, that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Pedone of Worcester, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

UMass,—joint pharmacy school. A communication from the Chancellor of the University of Massachusetts Lowell informing the General Court of the appointment of Dr. Ahmed Abdelal, Provost at the University of Massachusetts Lowell, as his designee to the special commission established (under Section 153 of Chapter 131 of the Acts of 2010) to study the University of Massachusetts at Amherst and the University of Massachusetts at Lowell jointly establishing a public school of pharmacy, was spread upon the records of the House and placed on file.

Petitions.

Petitions severally were presented and referred as follows:

Northborough,—liquor license. By Representative Naughton of Clinton and Senator Chandler, a joint petition (accompanied by bill House, No. 5013) of Harold P.

Naughton, Jr., Harriette L. Chandler and others (by vote of the town) that the town of Northborough be authorized to issue a license for the sale of alcoholic beverages to be located at "The Shops@20" in said town. To the committee on Consumer Protection and Professional Licensure.

By Representative Madden of Nantucket and Senator O'Leary, a joint petition (accompanied by bill House, No. 5014) of Timothy R. Madden and Robert A. O'Leary (by vote the town) relative to the establishment of a water supply system in the town of Tisbury; and

Tisbury,—water supply.

By Representative Naughton of Clinton and Senator Chandler, a joint petition (accompanied by bill House, No. 5015) of Harold P. Naughton, Jr., Harriette L. Chandler and others (by vote of the town) for legislation to authorize the town of Northborough to transfer certain land from the parks and recreation commission to the board of selectmen of said town;

Northborough,—park land.

Severally to the committee on Municipalities and Regional Government.

By Representative Naughton of Clinton and Senator Chandler, a joint petition (accompanied by bill House, No. 5016) of Harold P. Naughton, Jr., Harriette L. Chandler and Jennifer L. Flanagan (by vote of the town) that the town administrator of the town of Clinton be granted certain authority relative to the appointment and removal of personnel employed by said town; and

Clinton,—civil service.

By Mr. Torrisi of North Andover, a petition (accompanied by bill House, No. 5011) of David M. Torrisi, Bruce E. Tarr and others (by vote of the town) that the town of North Andover be authorized to appoint Christopher M. Dufresne as a fire fighter in said town, notwithstanding the maximum age requirements;

North Andover,—Christopher M. Dufresne.

Severally to the committee on Public Service. Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Rush of Boston, a petition (subject to Joint Rule 12) of Michael F. Rush for legislation to authorize the issuance of seasonal licenses for the sale of alcoholic beverages to certain fraternal organizations and golf courses.

Liquor,—seasonal licenses.

By the same member, a petition (subject to Joint Rule 12) of Michael F. Rush that cities and towns be authorized to grant licenses for the sale of alcoholic beverages to charitable organizations, notwithstanding certain restrictions on the issuance of such licenses.

Charitable organizations,—liquor licenses.

Severally, under Rule 24 to the committee on Rules.

Paper from the Senate.

The House Bill establishing a sick leave bank for Meridyth L. Reith, an employee of the Department of Environmental Protection (House, No. 4575) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the following:

Meridyth L. Reith,—sick leave bank.

"Notwithstanding any general or special law or rule or regulation to the contrary, the department of environmental protection shall establish a sick leave bank for Meridyth L. Reith, an employee of the department. Any employee of the department may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by

Meridyth L. Reith,—
sick leave
bank.

Meridyth L. Reith. Whenever Meridyth L. Reith terminates employment with the department or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the extended illness leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”

Under suspension of Rule 35, on motion of Ms. Provost of Somerville, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

Mr. Pedone of Worcester then moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the following:

“Notwithstanding any general or special law or rule or regulation to the contrary, the department of environmental protection shall establish a sick leave bank for Meridyth L. Reith, an employee of the department. Any employee of the department and any employee of the state fire marshal may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by Meridyth L. Reith in the care of her daughter Charlize. Whenever Meridyth L. Reith terminates employment with the department or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the extended illness leave bank. Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department.”

The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Reports of Committees.

Pembroke,—
warrants.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Bill relative to the signing of warrants for payment in the town of Pembroke (House, No. 4918) [Local Approval Received], be scheduled for consideration by the House.

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

Transportation,—
study.

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 3174, 3240, 3635, 3640, 4394, 4569, 4581 and 4685, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning matters before the committee (House, No. 5012). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules. Under Rule 42, the report was considered forthwith; and it was accepted.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Edward A. Driscoll, an employee of the Trial Court, (see House, No. 4947, amended), 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.

Edward A. Driscoll,—
sick leave
bank.

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 8 to 0. Sent to the Senate for concurrence.

Engrossed Bill and Resolve.

The engrossed Bill exempting the deputy chief of police in the town of Sharon from the civil service law (see House, No. 4853) (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.

Bill
enacted.

The engrossed Resolve designating a certain act of 2008 as “Darnell’s Law” (see House, No. 1139) (which severally originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate.

Resolve
passed.

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 a quarter 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 Monday at eleven o’clock A.M., in an Informal Session.