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The Commonwealth of Massachusetts

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**JOURNAL OF THE HOUSE.**



THURSDAY, SEPTEMBER 10, 2009.

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# JOURNAL OF THE HOUSE.

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Thursday, September 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.

Gracious God, we try to begin each day with the right intention of serving You, our constituents and our families in a responsible and caring manner. With busy schedules, help us to keep our priorities in proper perspective as we carry out our daily routine. In addressing legislative and public policy issues, may we be open to the insights and suggestions of the people and our associates. In this era of worldwide violence against the innocent, teach us to continue our long tradition of respecting the rights and the dignity of each individual. Bless our common efforts to make our communities prosperous, peaceful and civil. May we also be mindful of the benefits as well as the unintended consequences of our decisions on future generations and on the Commonwealth.

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

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

Larry Higgins.

Resolutions (filed by Mr. Guyer of Dalton) congratulating Larry Higgins on the occasion of his retirement from the Dalton Police Department; and

Our Lady of Czestochowa.

Resolutions (filed by Mr. Kulik of Worthington) celebrating the observance of the one hundredth anniversary of the founding of Our Lady of Czestochowa Church;

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

### *Annual and Special Reports.*

Clean Energy Center.

The annual report of the Massachusetts Clean Energy Center (under Section 5 of Chapter 23J of the General Laws) for the fiscal year 2009; and

Retirement systems.

A report of the special commission established (under Section 22 of Chapter 21 of the Acts of 2009) to make an investigation and study of the contributory retirement systems of the Commonwealth;

Severally were placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Ms. Stanley of West Newbury, petition (subject to Joint Rule 12) of Harriett L. Stanley relative to affordable health in the Commonwealth. Health care.

Mr. Stanley of Waltham, petition (subject to Joint Rule 12) of Thomas M. Stanley for legislation to establish a sick leave bank for Michael Jordan, an employee of the Trial Court. Michael Jordan,—  
sick leave bank.

By Representative Hogan of Stow and Senator Eldridge, joint petition (subject to Joint Rule 12) of Kate Hogan and James B. Eldridge relative to the supplemental reserve fund for the Nashoba Regional School District. Nashoba Regional School District.

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

*Paper from the Senate.*

A petition of Stephen M. Brewer and Todd M. Smola for legislation relative to releasing certain land in Brimfield from the operation of an agricultural preservation restriction, came the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight. Brimfield,—  
agriculture preservation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2149) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

*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 Stephen Kulik and others for legislation to establish a health care outreach and education unit within the Executive Office of Health and Human Services. Health care outreach unit.

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

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill validating the town of Sherborn's annual town election held on May 12, 2009 (printed in House, No. 4222) be scheduled for consideration of the House. Sherborn,—  
town election.

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.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Moran of Boston, for the committee on the Election Laws, on a petition, a Bill ratifying, validating and confirming in all respects the election calendar established by the city of Peabody for Peabody,—  
election calendar.

elections to be held in 2009 (House, No. 4219) [Local Approval Received].

Subcontractor losses.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 3022, a Bill to limit losses of subcontractors in private construction (House, No. 4228).

City year day.

By the same member for the same committee, on House No. 3758, a Bill to create an annual city year day (House, No. 4230).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Contract provisions.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House No. 3053, a Bill to promote fair contract provisions (House, No. 4229).

Uxbridge,—land easement.

By the same member for the same committee, on House No. 3838, a Bill authorizing the division of capital asset management to convey, lease and grant easements with respect to certain land in the town of Uxbridge (House, No. 4231).

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

*Engrossed Bills.*

Bill enacted.

The engrossed Bill validating a certain election in the town of Orange (see House bill printed in House, No. 4058) (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 (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill authorizing the town of Natick to establish a separate fund for the acquisition and construction of new parking (see House, No. 3706) (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.*

Senate bills

Third Reading bills.

Establishing a sick leave bank for Michael Belloli, an employee of the Department of Correction (Senate, No. 2100) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Margaret Ann Sheehan, an employee of the Trial Court (Senate, No. 2106); and

Establishing a sick leave bank for Ellen Starck, an employee of the Parole Board (Senate, No. 2125);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Id.

Establishing a sick leave bank for Antonio Bell, an employee of the Executive Office of Health and Human Services (House, No. 4203) (its title having been changed by the committee on Bills in the Third Reading);

Establishing a sick leave bank for Susan Harper, an employee of the Department of Developmental Services (House, No. 4211) (its title having been changed by the committee on Bills in the Third Reading); and

Establishing a sick leave bank for Joanna Cross, an employee of the Department of Transitional Assistance (House, No. 4212) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*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.

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At a twenty-eight minutes before twelve noon, 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.