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The Commonwealth of Massachusetts

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**JOURNAL OF THE HOUSE.**



MONDAY, SEPTEMBER 14, 2009.

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## JOURNAL OF THE HOUSE.

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Monday, September 14, 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.

Eternal God, Our Creator and Guide, we look to You for assistance and direction as we take up and address the legislative and personal items which we face this and every day. Your help enables us to keep our responsibilities and our opportunities for serving You and constituents in clear focus. We pray for Your gift of wisdom in our task of resolving current and often sensitive issues which come before us in these changing and difficult times. As elected representatives of the people, may we be alert to the many needs of the people in our districts who look to us for leadership, creativity and vision in building peaceful, caring and civil communities and stable family life. Inspire us to work together in promoting public policy which serves the best interests of people and 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:

Paula M. Rooney.

Resolutions (filed by Mr. Vallee of Franklin) recognizing Doctor Paula M. Rooney on the occasion of the fifteenth anniversary of her presidency at Dean College;

Michael A. Tusino IV.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Michael A. Tusino IV on earning the Eagle Scout Award;

Islamic Congress,—  
Ramadan.

Resolutions (filed by Ms. Provost of Somerville) congratulating the New England Council of the American Islamic Congress on its celebration of Massachusetts' salute to Ramadan;

Martha P. Grace.

Resolutions (filed by Messrs. Spellane of Worcester, Binienda of Worcester, Fresolo of Worcester, O'Day of West Boylston and Pedone of Worcester) commending the honorable Martha P. Grace upon the occasion of her retirement as Chief Justice of the Juvenile Court Department of the Massachusetts Trial Court; and

Jean Sears.

Resolutions (filed by Mr. Turner of Dennis) congratulating Jean Sears on the occasion of her retirement;

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

*Papers from the Senate.*

**Bills**

Authorizing the town of Charlton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 114, amended in line 1 by striking out the word “Section” and inserting in place thereof the following: “sections 12 and”) (on a petition) [Local Approval Received];

Charlton,—  
liquor  
license.

Relative to the Sandwich Visitor Services Board (Senate, No. 2074) (on a petition) [Local Approval Received]; and

Sandwich Visitor  
Services Board.

Relative to the lease of property at Sandwich High School (Senate, No. 2075) (on a petition) [Local Approval Received];

Sandwich  
High School.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 2142) of Bruce E. Tarr, James R. Miceli and Charles A. Murphy (by vote of the town) for legislation to exempt the town of Wilmington from liability, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Wilmington,—  
liability.

*Reports of Committees.*

By Mr. Binienda of Worcester, for the committee on Rules, that Joint Rule 7B be suspended on the petition of James E. Vallee that the town of Franklin be authorized to appropriate funds for the removal of overhead utilities and providing for the underground placement of such utilities. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Franklin,—  
overhead  
utilities.

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 joint petition of Michael A. Costello and James E. Timilty relative to police investigations. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security. Sent to the Senate for concurrence.

Police  
investigations.

By Ms. Coakley-Riveria of Springfield, for the committee on Labor and Workforce Development, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2549) of James J. O’Day relative to protecting social workers,— and recommending that the same be referred to the committee on Public Service.

Social  
workers.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relative to technical corrections regarding the further protection of children (House, No. 1589).

Children,—  
further  
protection.

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, accompanied by Senate, No. 949, a Bill relative to floor finish products (House, No. 2304).

Floor  
finishing  
products.

Flag flying.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House No. 3046, a Bill relative to the flying of the flag of the Commonwealth at half staff on state buildings and installations.(House, No. 4236).

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

UMass,— police department.

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, accompanied by Senate, No. 979, a Bill relative to the University of Massachusetts Police Department (House, No. 2209). Read and referred, under Rule 33, to the committee on Ways and Means.

*Emergency Measures.*

Michael Belloli,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Michael Belloli, an employee of the Department of Correction (see Senate, No. 2100, 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.

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 9 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Margaret Ann Sheehan,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Margaret Ann Sheehan, an employee of the Trial Court (see Senate, No. 2106) 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 9 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Ellen Starck,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Ellen Starck, an employee of the Parole Board (see Senate, No. 2125) 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 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate. Bill enacted.

The engrossed Bill establishing a sick leave bank for Maria Natal, an employee of the Department of Revenue (see House, No. 601) 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. Maria Natal,—  
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 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate. Bill enacted.

The engrossed Bill establishing a sick leave bank for Sara Dubik-Unruh, an employee of the Department of Transitional Assistance (see House, No. 1142, 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. Sara Dubik-Unruh,—  
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 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate. Bill enacted.

The engrossed Bill establishing a sick leave bank for Betty Green, an employee of the Department of Revenue (see House, No. 4177) 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. Betty Green,—  
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 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate. Bill enacted.

*Orders of the Day.*

The House 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), reported by the Third reading bill.

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.

Fairhaven,—  
liquor  
license.

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of wine and malt beverages to be drunk on the premises (House, No. 1908) (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.

Pending the question on passing the bill to be engrossed, Mr. Straus of Mattapoisett moved to amend it by substitution of a bill with the same title (House, No. 4237), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

*Recess.*

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at that time the House was called to order with Mr. Donato in the Chair.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

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

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At seven minutes after twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M., in an Informal Session.