

Thursday, October 29, 2009.

Met at five minutes after 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, Eternal Source of all Truth and Love, we begin today's legislative session with a prayer of thanksgiving for our daily blessings and for the material and spiritual gifts which You bestow upon us each day. In Your goodness grant us the knowledge to recognize these gifts and the wisdom to utilize them wisely in our daily living and dealing with others. Help us to keep our hearts open to and our minds filled with solid traditional values, singleness of purpose, high ideals and principles and to Your ways of right being. In this era of violence in many parts of the world against the innocent inspire use in our commonwealth and country to respect the importance and rights of each individual. As we address our daily tasks we pray for strength in our weakness, hope in our discouragement and courage in our decision making actions.

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.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing a special meeting of the town council of the city known as the town of Randolph for the purpose of selecting a town manager (House, No. 4299), was filed in the office of the Clerk on Wednesday, October 28.

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

Resolutions.

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

Resolutions (filed by Mr. Keenan of Salem and other members of the House) congratulating the Boys and Girls Club of Greater Salem on the occasion of its one hundred and fortieth anniversary; and

Resolutions (filed by Messrs. O'Day of West Boylston, Binienda of Worcester, Fresolo of Worcester, Pedone of Worcester and Spellane of Worcester) commemorating the one hundred and fiftieth anniversary of the Worcester Public Library;

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.

Petition.

Mr. Walsh of Boston presented a petition (subject to Joint Rule 12) of Martin J. Walsh, Michael F. Rush and others relative to federal write-in absentee ballots for uniformed services and overseas voters; 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 Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the town of Harvard to grant licenses for the sale of wines and malt beverages not to be drunk on the premises (House, No. 1127) came from the Senate passed to be engrossed, in concurrence, with an amendment in section 1, in lines 5 to 10, inclusive (as printed), by striking out the sentence contained therein and inserting in place thereof the following sentence: "The licensing authority shall not approve the transfer of a license granted under this act to any other location but it may grant any such license to a new applicant at the same location if the applicant files with the authority a letter from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid."

Under suspension of Rule 35, on motion of Ms. Benson of Lunenburg, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

A petition of Joan M. Menard, Patricia A. Haddad, David B. Sullivan, Kevin Aguiar and others for legislation to designate a certain path in the city of Fall River and the town of Somerset as the Army Pvt. Michael E. Bouthot Pedestrian Path, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2188) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill designating a portion of Route 140 as the Korean War Veterans' Memorial Roadway (House, No. 4215) be scheduled for consideration of the House.

Rt. 140—
Korean War
Roadway.

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, 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 House Bill establishing a sick leave bank for Deborah Kotarba, an employee of the Trial Court (House, No. 4269) be scheduled for consideration of the House.

Deborah
Kotarba,—
sick leave
bank.

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

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Senate Bill authorizing the Department of Highways and the town of Kingston to exchange certain parcels of land (Senate, No. 2147, amended) ought to pass with amendments by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4301; and by striking out the title and inserting in place thereof the following title: "An Act authorizing the Massachusetts Department of Transportation and the town of Kingston to exchange certain parcels of land." Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Kingston,—
highway
land
exchange.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendments pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means were adopted; and the bill (Senate, No. 2147, amended) was ordered to a third reading.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the House 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) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4300). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Uxbridge,—
land
easements.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, then reported that the matter be scheduled for consideration by the House, with the amendment pending.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Overseas
absentee
voting.

Harvard,—
liquor
licenses.

Fall River
and Somerset,—
Bouthot Path.

Home
of the
Brave.

By Mr. Naughton of Clinton, for the committee on Veterans and Federal Affairs, on Senate, Nos. 1995 and 2003 and House, Nos. 3400 and 4235, a Bill for the Home of the Brave (House, No. 4295). Read; and referred, under Rule 33, to the committee on Ways and Means.

Engrossed Bills.

Hinton
Laboratory.
Mary
Markley,—
sick leave.

Engrossed bills
Designating the building of the State Laboratory Institute as the Dr. William A. Hinton Laboratory (see House, No. 3007); and
Establishing a sick leave bank for Mary Markley, an employee of the Trial Court (see House, No. 4233) (which severally originated in the House);
In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed the by acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bill.

The Senate Bill authorizing the city of Westfield to convert a seasonal license for the sale of all alcoholic beverages not to be drunk on the premises to an annual license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2161), 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, in concurrence.

Order.

Next
sitting.

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.

At eleven minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (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.