

Monday, December 7, 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, may this moment of personal reflection and prayer be a reminder to us of Your presence in our midst. We believe that You and the assistance which You make available to us enable us to make sound, prudent and thoughtful decisions and choices as we face our daily tasks. In addressing the concerns of our constituents, may we be open to their input as we formulate public policy and evaluate proposed legislation. In our effort to make just, fair and objective legislative choices, free our minds and hearts of all prejudices, envy discord and confusion. Enable us to remain faithful to our traditional principles and traditional religious values. During this special season of the year, may spiritual realities guide the direction of our daily lives and 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 submitting a request for an appropriation for the fiscal year 2010 to provide for supplementing a certain existing appropriation (House, No. 4388), was filed in the office of the Clerk on Friday, December 4, 2009.

The message was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Resolutions.

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

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating Kevin Blais on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. D'Amico of Seekonk) congratulating John Gregorek on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Mr. Smola of Palmer) congratulating Ms. Beth Kaltner 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. O'Flaherty

of Chelsea (Mr. Petrolati of Ludlow being in the Chair), the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Colrain,—
recall
elections.

Mr. Guyer of Dalton presented a petition (accompanied by bill, House, No. 4384) of Denis E. Guyer and Stanley C. Rosenberg (by vote of the town) for legislation to provide for recall elections in the town of Colrain; and the same was referred to the committee on Election Laws, sent to the Senate for concurrence.

Sales
tax.

Ms. Peisch of Wellesley presented a petition (subject Joint Rule 12) of Alice Hanlon Peisch relative to the sales tax imposed on purchases of tangible personal property outside the Commonwealth; and the same was referred, under Rule 24 to the committee on Rules.

Paper from the Senate.

Malden,—
DiPaola
Bridge.

The engrossed Bill designating a certain bridge in the city of Malden as the DiPaola Brothers Veterans Bridge (see House, No. 3209) came from the Senate with an amendment striking out the first sentence and inserting in place thereof the following sentence: "Bridge #M-01-006 on Clifton street in the city of Malden shall be designated and known as the DiPaola Brothers Combat Veterans Memorial Bridge, in honor of John J. DiPaola, USAF, Arthur P. DiPaola, USMC, and Rocco V. DiPaola, USN, and all siblings who served simultaneously in combat in the United States military in defense of our country."

Under suspension of Rule 35, on motion of Mr. Fallon of Malden, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Lori and Eric
Polson,—
sick leave
banks.

The House Bill establishing sick leave banks for Lori Polson and Eric Polson, employees of the Department of Correction (House, No. 4273) 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 text contained in Senate document numbered 2225.

Under suspension of Rule 35, on motion of Mr. Flynn of Bridgewater, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Bills

Charlton,—
dams.

To authorize the town of Charlton to acquire dams within the town, to make improvements to dams and to authorize the assessment of bet-terments to pay costs associated therewith (Senate, No. 2108, amended in section 1, in lines 3 and 4, by striking out the words "incidental or related thereto, if such dam and any incidental" (as changed by the Senate committee on Bills in the Third Reading) and inserting in place thereof the word: "appurtenant thereto, if such dam and any appur-tenant"), (on a petition) [Local Approval Received].

Designating a certain bicycle path in the city of Fall River and the town of Somerset as the Pvt. Michael E. Bouthot bicycle path (Senate, No 2204) (on Senate, No. 2188).

Pvt. Bouthot
bicycle path.

Relative to extending the deadline for mailing quarterly tax bills (Senate, No. 2226) (on a petition).

Quarterly
tax
bills.

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. 2224) of Steven C. Panagiotakos (with the approval of the mayor and city council) for legislation relative to transfer of the Paul E. Tsongas Arena from the city of Lowell to the University of Massachusetts Building Authority, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Tsongas
Arena.

Reports of Committees.

Mr. Donato of Medford being in the Chair,—

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the Senate Bill designating a certain bridge in the city of Taunton as the Sgt Shane Duffy Bridge (Senate, No. 2203) be scheduled for consideration by the House.

Taunton,—
Duffy
Bridge.

Under suspension of Rule 7A, on motion of Mr. Spellane of Worcester, 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 creating the Lincoln Park infra-structure financing district in the town of Dartmouth (House, No. 611) be scheduled for consideration by the House.

Dartmouth,—
Lincoln
Park.

Under suspension of Rule 7A, on motion of Mr. Smizik of Brook-line, 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 Anne Smith, an employee of the Department of Revenue (House, No. 4353) be scheduled for consideration by the House.

Anne
Smith,—
sick leave
bank.

Under suspension of Rule 7A, on motion of the same member, 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 to prohibit the use of novelty lighters in the Commonwealth (House, No. 4369) be scheduled for consideration by the House.

Novelty
lighters,—
prohibit.

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

Utility and construction site safety.

By Mr. Finegold of Andover, for the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the Bill relative to the safety and protection of utility work and construction sites (House, No. 3067),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted.

Olivia Mulhall,— sick leave.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Olivia Mulhall, an employee of the Department of the Trial Court (House, No. 4361).

Spencer,— tax abatements.

By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill authorizing the town of Spencer to grant real and personal property tax abatements to members of the Massachusetts National Guard and Reservist Units called to active duty and serving in a foreign country (House, No. 1134).

Wayland,— real estate taxes.

By the same member, for the same committee, on a petition, a Bill relative to real estate taxes in the town of Wayland (House, No. 1903).

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

Emergency Measure.

Deborah Kotarba,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Deborah Kotarba, an employee of the Trial Court (see House, No. 4269), 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 6 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 House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bills enacted.

Engrossed bills
Authorizing the town of Charlton to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 114, amended) (which originated in the Senate); and

Relative to the board of registration of social workers (see House, No. 4262) (which 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 Senate Bill authorizing the city of Salem to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2093) (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, in 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.

Representatives Spellane of Worcester, Keenan of Salem and Ehrlich of Marblehead then moved that as a mark of respect to the memory of J. Hillary Rockett, a member of the House from Marblehead from 1963 to 1972, inclusive, the House adjourn; and the motion prevailed.
Accordingly, at twenty-five minutes after eleven o’clock A.M., on motion of Mr. deMacedo of Plymouth (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.