

# JOURNAL OF THE HOUSE.

Thursday, December 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).

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.

### Communications.

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Civil penalty imposition commission.

From the Massachusetts Bar Association notifying the House of Representatives of the appointment of Attorney Peter Elikann as the designee of said association to serve on the permanent commission established (under Section 6 of Chapter 54 of the Acts of 2005) to study and analyze the imposition of civil penalties on certain offenses within the Commonwealth;

Id.

From the Massachusetts District Attorneys Association notifying the House of Representatives of the appointment of C. Samuel Sutter, the District Attorney for Bristol County, as the designee of said association to serve on the permanent commission established (under Section 6 of Chapter 54 of the Acts of 2005) to study and analyze the imposition of civil penalties on certain offenses within the Commonwealth; and

Id.

From the Massachusetts Trial Court notifying the House of Representatives of the appointment of Ronald P. Corbett, Jr., Acting Administrator, as the designee of said court to serve on the permanent commission established (under Section 6 of Chapter 54 of the Acts of 2005) to study and analyze the imposition of civil penalties on certain offenses within the Commonwealth;

Severally were spread upon the records of the House and placed on file.

### Resolutions.

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

Peter and Cornelia Koutoujian.

Resolutions (filed by Mr. Koutoujian of Waltham) congratulating Peter and Cornelia Koutoujian on the occasion of their fiftieth wedding anniversary;

Ryan Woodhouse.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Ryan Woodhouse on achieving the rank of Eagle Scout of the Boy Scouts of America; and

Robert Anthony Hudson III.

Resolutions (filed by Mr. Tobin of Quincy) congratulating Robert Anthony Hudson III on receiving the Eagle Award of the Boy Scouts of America;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspen-

sion of the rules, in each instance, on motion of Mr. Kujawski of Webster, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

### Petitions.

Representative Kulik of Worthington and Senator Rosenberg presented a joint petition (accompanied by bill House, No. 5108) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) that the town of Montague be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises; and the same was referred to the committee on Consumer Protection and Professional Licensure. Sent to the Senate for concurrence.

Montague,—liquor license.

Petitions severally were presented and referred as follows:

By Ms. Reinstein of Revere, a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein, Sal DiDomenico and Anthony Petruccelli for legislation to designate two pavilions in the city of Revere as the Frank V. McCarthy Memorial Pavilions.

Revere,—McCarthy Pavilions.

By Mr. Sullivan of Fall River, a petition (subject to Joint Rule 12) of David B. Sullivan for legislation to establish a sick leave bank for Jeffery Botelho, an employee of the Department of Correction.

Jeffery Botelho,—sick leave bank.

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

### Paper from the Senate.

A Bill relative to group health insurance (Senate, No. 489) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Group health insurance,—coverage.

### 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 following petitions:

Petition (accompanied by bill) of Geraldo Alicea and Stephen M. Brewer for legislation to establish a sick leave bank for Sheila Santelli, an employee of the Department of Housing and Community Development.

Sheila Santelli,—sick leave bank.

Petition (accompanied by bill) of Linda Dean Campbell for legislation to establish a sick leave bank for Patrick J. Hager, an employee of the Department of Revenue; and

Patrick Hager,—sick leave bank.

Petition (accompanied by bill) of Christopher N. Speranzo for legislation to establish a sick leave bank for Tara Reilly, an employee of the Department of Children and Families;

Tara Reilly,—sick leave bank.

Severally to the committee on Public Service.

Petition (accompanied by bill) of William M. Straus and Anthony Petruccelli for legislation to extend the filing date of the special commission (including members of the General Court) established to make an investigation and study of the water quality of the lower basin of the Charles River. To the committees on Rules of the two branches, acting concurrently.

Charles River water quality,—study.

Under suspension of the rules, on motion of Mr. Wolf of Cambridge, the reports were considered forthwith. Joint Rule 12 was suspended, in each instance. Severally sent to the Senate for concurrence.

Orange,—  
financial  
conditions.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the financial condition of the town of Orange (House, No. 5069) [Local Approval Received].

Milford,—  
seniors.

By the same member, for the same committee, on a joint petition, a Bill relative to the Geriatric Authority of Milford (House, No. 5072) [Local Approval Received].

Milford,—  
employment  
contracts.

By the same member, for the same committee, on a petition, a Bill establishing certain employment contracts for the town of Milford (House, No. 5088) [Local Approval Received].

Methuen,—  
health  
insurance.

By the same member, for the same committee, on a petition, a Bill relative to health insurance in the city of Methuen (House, No. 5090) [Local Approval Received].

South Hadley,—  
town meeting.

By the same member, for the same committee, on a petition, a Bill relative to South Hadley town meeting members (House, No. 5096) [Local Approval Received].

North  
Andover,—  
Christopher M.  
Dufresne.

By Mr. Spellane of Worcester, for the committee on Public Service, on a recommitted petition, a Bill authorizing the appointment of Christopher M. Dufresne as a firefighter in the town of North Andover notwithstanding the maximum age requirements (House, No. 5011) [Local Approval Received].

Malden,—  
early  
retirement.

By the same member, for the same committee, on a joint petition, a Bill providing for a work force reduction of city of Malden through an early retirement incentive for certain employees (House, No. 5073) [Local Approval Received].

Winthrop,—  
John  
Kilmartin  
Walkway.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on a recommitted petition, a Bill designating a walkway in the Belle Isle Marsh in Winthrop as the John Kilmartin Walkway (House, No. 5035).

Cambridge,—  
North Point.

By the same member, for the same committee, on a petition, a Bill relative to the environmental review process for a certain parcel of developable land in the city of Cambridge (House, No. 5085).

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

#### *Engrossed Bills.*

Bill  
enacted.

The engrossed Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Department of Health and Human Services (see House, No. 4921, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill providing equity for school principals (see House, No. 371, changed and amended) (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.

#### *Motion to Discharge a Certain Matter in the Orders of the Day.*

The motion of Mr. Pedone of Worcester, that the vote be reconsidered by which the House, on Friday December 3, adopted an amendment recommended by His Excellency the Governor in section 2 by striking out clauses (ii) and (iii) and inserting in place thereof the following clause:

Tips,—  
pooling.

“(ii) assigning employees to their posts, shall qualify as a wait staff employee for purposes of this section.”, to the engrossed Bill relative to the pooling of tips (see House, No. 4814, amended), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton; and it prevailed.

Pending the recurring question on adoption of the amendment recommended by His Excellency, the bill was recommitted to the committee on Bills in the Third Reading, on further motion of Mr. Pedone.

#### *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 eighteen 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 adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.