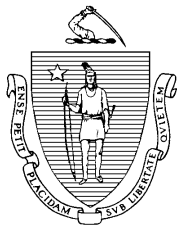


UNCORRECTED PROOF

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 9, 2009.

[116]

JOURNAL OF THE HOUSE.

Monday, November 9, 2009.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Murphy of Burlington 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, as we begin today's legislative session we pause for a moment for of reflection and personal prayer. We believe that with Your assistance we are able to keep our personal priorities and lofty goals in focus as we deal with the legislatives issues which come to our attention as elected leaders. In this era of violence against the innocent and helpless, teach use to continue our traditional respect for the rights and dignity of each individual in our community. A peaceful stable and ethical society is the framework for building just and prosperous communities in which the common good is a common goal. May each of us be blessed with an understanding heart, an inquiring mind and a joyful spirit.

Grant your blessings to the Speaker, the members and employees of this House and to their families. Amen.

Pledge of
allegiance.

At the request of the Chair (Mr. Murphy), 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:

Quincy,—
Presbyterian
Church.

Resolutions (filed by Messrs. Mariano of Quincy, Ayers of Quincy and Tobin of Quincy) celebrating the one hundred and twenty-fifth anniversary of the First Presbyterian Church; and

Thomas J.
Connelly, Jr.

Resolutions (filed by Mr. Honan of Boston) congratulating Thomas J. Connelly, Jr., on 30 years of outstanding services to the Massachusetts Chapter of the National Association of Housing and Redevelopment Officials;

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

Petition.

Jointly held
real estate,—
transfers.

Mr. Murphy of Lowell presented a petition (subject to Joint Rule 12) of Kevin J. Murphy relative to transfer of real estate jointly with other persons, and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Bills

Clarifying the requirements for licensing as a real estate broker or salesman (Senate, No. 121, amended by striking out section 1 (as printed); and by adding the following section:

Real estate brokers.

“(SECTION 2. This act shall take effect on January 1, 2011.”) (on a petition);

Establishing the interstate compact for juveniles (Senate, No. 2189) (on Senate bill No. 53);

Juveniles,—interstate compact.

Preserving publicly-assisted affordable housing (Senate, No. 2190, amended in section 1 by inserting after line 223 the following paragraph:

Publicly-assisted housing.

“(f) Publicly-assisted housing shall be subject to this section for 4 years after the date of the last event or occurrence that constituted a termination; provided, however, that publicly-assisted housing for which the last event or occurrence that constituted a termination occurred prior to the effective date of this chapter shall not be subject to this section.”; by striking out the text contained in line 293 and inserting in place thereof the following two paragraphs:

“(h) Publicly-assisted housing shall be subject to this section for 4 years after the date of the last event or occurrence that constituted a termination; provided, however, that publicly-assisted housing for which the last event or occurrence that constituted a termination occurred prior to the effective date of this chapter shall not be subject to this section.

Section 5. The disposition of real property by an affected municipality in accordance with chapter shall not be subject to section 16 of chapter 30B.”; and by striking out section 4.”) (on a part of House bill No. 4298); Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A petition of Susan C. Fargo and Thomas P. Conroy relative to bus stops, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Transportation.

Bus stops.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2197) was referred, in concurrence, to the committee on Transportation.

Reports of Committees.

Mr. Finegold of Andover, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2115, amended) of the House Bill relative to public utility companies (House, No. 4126), reported, recommending passage of a bill with the same title (House, No. 4329). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Public utility companies.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling then reported recommending that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, the question being on acceptance.

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:

Pilgrim Nuclear Power Station.

Petition (accompanied by bill) of Jay D. Ferguson for legislation to require the Pilgrim Nuclear Power Station located in the town of Plymouth to provide for weekly testing of its safety and alarm system. To the committee on Public Safety and Homeland Security.

Christopher Sandiford,—sick leave bank.

Petition (accompanied by bill) of Linda Dorcena Forry relative to establishing a sick leave bank for Christopher Sandiford, an employee of the Department of Transitional Assistance. To the committee on Public Service.

Upton,—George L. Wood roadway.

Joint petition (accompanied by bill) of George N. Peterson, Jr., and Michael O. Moore for legislation to designate a portion of state highway Route 140 in the town of Upton as the George L. Wood Veterans of Foreign Wars Post #5594 and the Marshall-Leland American Legion Post #173 Roadway. To the committee on Transportation.

Under suspension of the rules, on motion of Ms. Provost of Somerville, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Simulcasting.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill extending simulcasting (House, No. 4315) ought to pass with an amendment by substitution of a bill with the same title (House, No. 4323). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration of the House; and, under said rule, it was placed in the Orders of the Day for the next sitting, with the amendment pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Templeton,—liquor license.

Authorizing the town of Templeton to grant an additional license for all alcoholic beverages not to be drunk on the premises (Senate, No. 2063) [Local Approval Received];

Raynham,—bridge.

Designating a certain bridge in the town of Raynham as the SFC Jared C. Monti Bridge (Senate, No. 2177);

Taunton,—bridge.

Designating a certain bridge in the city of Taunton as the SSG Adelino Paulo bridge (Senate, No. 2178);

House bills

Nantucket,—commission.

To amend chapter 395 of the acts of 1970, as amended (House, No. 1121) [Local Approval Received];

Southbridge,—funds.

Authorizing the town of Southbridge to establish certain special funds (House, No. 1131) [Local Approval Received];

Notaries public.

Regulating notaries public to protect consumers from fraud and other abuses (House, No. 1592);

Nantucket,—health board.

Establishing an appointed board of health for the town of Nantucket (House, No. 1895) [Local Approval Received];

Barnstable,—rest area.

Designating a certain rest area in the town of Barnstable as the Korean War Veterans Memorial rest area (House, No. 3159);

<p>Designating a certain bike path in the town of Millbury as the Honorable Richard Dwinell Memorial Blackstone Valley bike path (House, No. 3218);</p> <p>Designating a certain bridge in the town of Billerica the John F. Leary bridge (House, No. 3232);</p> <p>Amending the town of Yarmouth charter (House, No. 4175) [Local Approval Received];</p> <p>Relative to the membership of the conservation commission of the town of Stockbridge (House, No. 4191) [Local Approval Received];</p> <p>To designate a certain traffic circle in the city of Lowell (House, No. 4204);</p> <p>Pertaining to the issuance of bonds or notes by the city of Worcester (House, No. 4265) [Local Approval Received]; and</p> <p>Authorizing the town of Hingham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4268) [Local Approval Received].</p> <p>Severally placed in the Orders of the Day for the next sitting for a second reading.</p>	<p>Millbury,— bike path.</p> <p>Billerica,— bridge.</p> <p>Yarmouth,— charter.</p> <p>Stockbridge,— commission.</p> <p>Lowell,— circle.</p> <p>Worcester,— bonds.</p> <p>Hingham,— liquor license.</p>
--	--

Emergency Measure.

<p>The engrossed Bill establishing a sick leave bank for Richard Donati, an employee of the Department of Correction (see Senate, No. 2157, 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.</p>	<p>Richard Donati,— sick leave bank.</p>
---	--

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 5 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

<p>Engrossed bills</p> <p>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);</p> <p>Designating a certain bridge in the city of Fall River and the town of Somerset as the Veterans Memorial Bridge (see Senate, No. 2124); (Which severally originated in the Senate);</p> <p>Relative to the election of the members of the board of public works of the town of Hopkinton (see House, No. 1909); and</p> <p>Relative to the charter of the town of Orleans (see House, No. 4086); (Which severally originated in the House);</p> <p>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.</p>	<p>Bills enacted.</p>
--	---------------------------

Orders of the Day.

<p>House bills</p> <p>Designating Polish American Congress Day (House, No. 3035, changed) (its title having been change by the committee on Bill in the Third Reading);</p>	<p>Third reading bills.</p>
---	-------------------------------------

Third reading bills.

Designating a certain bridge in the town of Danvers as the Danversport Bridge (House, No. 3335, changed) (its title having been changed by the committee on Bills in the Third Reading);

Designating Route 20 in the town of Northborough as the John Davis Highway (House, No. 4030); and

Establishing a sick leave banks for Lori Polson and Eric Polson, employees of the department of correction (House, No. 4273) (its title having been changed by the committee on Bills in the Third Reading);

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. Severally sent to the Senate for concurrence.

Third reading bill amended.

The House Bill establishing a sick leave bank for John Bevelaqua, an employee of the Department of Energy Resources (House, No. 4263) (its title having been changed by the committee on Bills in the Third Reading) was read a third time.

Said committee reported recommending that the bill be amended in line 9 (as printed) by inserting after the word "compensated." the following two sentences:

"Sick leave bank days shall not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the department. Whenever John Bevelaqua terminates employment with the department or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the extended illness leave bank."; and the report was accepted.

The amendment was adopted; and the bill House, No. 4263, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop (Mr. Kafka of Stoughton having taken the Chair),—

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

Next sitting.

At five minutes after twelve o'clock noon, on motion of Mrs. Poirier North Attleborough (Mr. Kafka of Stoughton being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.