

JOURNAL OF THE HOUSE.

Monday, March 8, 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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God in Whom we place our trust and hope, today we begin this new workweek by prayerfully asking for Your guidance as we take up the legislative items which come before us. In Your goodness grant us the gifts of knowledge and wisdom so that our choices and decisions will be reasoned and just. May we be conscious of Your presence in our lives and Your personal concern for our total well being. We are grateful to You for the many material and spiritual blessings which You bestow upon us daily. In this age of violence against the innocent in many areas of the world may we continue our long tradition of protecting and respecting the lives and rights of all people in our nation. As we try to address the concerns of people today, may we also keep clear in our minds the needs of future generations and our responsibility towards them.

Grant Your blessings to the Speaker, the members and employees of this House and 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.

Resolutions.

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

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Jonathan Robert Gray on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Ms. Allen of Boston) honoring Illustrious Potentate Gerald Richard Thaxton III;

Resolutions (filed by Mr. Fernandes of Milford) congratulating Kevin William Keating on earning the Eagle Scout Award;

Resolutions (filed by Mr. Fernandes of Milford) congratulating John Robertas Saras on earning the Eagle Scout Award; and

Resolutions (filed by Representatives Keenan of Salem, DeLeo of Winthrop, Grant of Beverly, Spiliotis of Peabody, Walsh of Lynn and Speliotis of Danvers) congratulating Robert Arena on the occasion of his 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. 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.

Papers from the Senate.

Safe driving. The House Bill relative to safe driving (House, No. 4475) 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 2305.

Conference committee. Under suspension of the rules, on motion of Mr. Wagner of Chicopee, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Wagner, Costello of Newburyport and Humason of Westfield were appointed the committee on the part of the House. Sent to the Senate to be joined.

Courts,—intimidation. Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Dangerousness hearings. Petition (accompanied by bill, Senate, No. 2311) of Jennifer L. Flanagan for legislation to prevent intimidation in all courts of the Commonwealth; and

Petition (accompanied by bill, Senate, No. 2312) of Jennifer L. Flanagan for legislation relative to dangerousness hearings. Severally to the committee on the Judiciary.

Reports of Committees.

Stephen R. Fratalia,—sick leave. 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:

Mechanics liens. Petition (accompanied by bill) of John D. Keenan for legislation to reduce the time limitation for filing with the courts of a mechanics lien for labor and material services and providing for the validation of such liens.

Severally to the committee on the Judiciary.

Meraly Rivera,—sick leave. Joint petition (accompanied by bill) of Ronald Mariano, Michael W. Morrissey and others that the Department of Children and Families be authorized to establish a sick leave bank for Meraly Rivera, an employee of said department. To the committee on Public Service.

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

Day care, etc.—study. By Ms. Khan of Newton, for the committee on the Children, Families and Persons with Disabilities, on House, Nos. 112, 121, 157, 158 and 167, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents concerning Office for Children, Department of Transitional Assistance, the Office of Child Care Services, day care centers and other related matters (House, No. 4548).

Children,—study. By the same member, for the same committee, on House, Nos. 113, 114, 115, 116, 117, 118, 119, 120, 126, 130, 131, 132, 134, 135, 146, 150 and 191, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents concerning the Department of Social Services, adopted children, abused children, disabled persons, the Department of Mental Retardation and other related matters (House, No. 4549).

Fishing industry,—study. By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 746, 796, 844 and 3884, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning the fishing industry, fish advisories and lobster licenses (House, No. 4551).

Cultural development,—study. By Mr. Keenan of Salem, for the committee on Tourism, Arts and Cultural Development, on House, Nos. 3138 and 3139, an Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of certain House documents concerning issues of cultural development (House, No. 4552).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Binienda of Worcester, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Discarded electronic products. By Mr. Binienda of Worcester, for the committee on Rules, that the Bill to require producer responsibility for collection, reuse and recycling of discarded electronic products (House, No. 4374) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

Social workers,—loans. By Mr. Torrisi of North Andover, for the committee on Higher Education, on Senate, Nos. 597, 614 and 616 and House, No. 3568, a Bill establishing an education loan repayment program for social workers and credentialed direct care human service workers (House, No. 3568).

Uniform procurement. By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on Senate, No. 1141 and House, No. 2994, a Bill relative to Chapter 30B (House, No. 2994).

Small businesses,—job creation. By the same member, for the same committee, on House, No. 4490, a Bill providing for job creation by small businesses (House, No. 4553).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Martha's Vineyard. By Mr. Kaufman of Lexington, for the committee on Revenue, on a petition, a Bill establishing the Martha's Vineyard housing bank (printed as Senate, No. 1316).

Nantucket,—
housing
bank.

By the same member, for the same committee, on a petition, a Bill establishing the Nantucket community housing bank (printed as Senate, No. 2123).

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

Engrossed Bills.

Bill
enacted.

The engrossed Bill validating the actions taken at a special town meeting of the town of Lynnfield (see House bill printed in House, No. 4498) (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 (more the two-thirds of the members having agreed to pass the same; and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill authorizing the appointment of special police officers in the town of Dracut (see House, No. 1143) (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 Reconsider.

John
Bevelaqua,—
sick leave
bank.

Mr. Pedone of Worcester moved that the vote be reconsidered by which the House, on Thursday last, passed to be engrossed the House Bill establishing a sick leave bank for John Bevelaqua, an employee of the Department of Energy Resources (House, No. 4503, amended) and the motion to reconsider was considered forthwith; and it prevailed.

The same member then moved that the vote be reconsidered by which the House, on said day, adopted an amendment (offered by Mr. Dempsey of Haverhill) striking out all after the enacting clause and inserting in place thereof a new text, and the motion to reconsider was considered forthwith; and it prevailed.

On the recurring question, the amendment was rejected.

Pending the recurring question on passing the bill to be engrossed, it was recommitted to the committee on Bills in the Third Reading, on further motion of Mr. Pedone.

Said committee then reported recommending that the bill be amended by substitution of a Bill relative to John Bevelaqua's sick leave bank (House, No. 4554).

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

Orders of the Day.

House bills

Third
reading
bills.

Authorizing the town of Medway to continue the employment of Fire Chief Paul L. Trufant (House, No. 4380) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the town of Arlington to place a certain question relative to the sale of alcoholic beverages on a town election (House, No. 4403) (its title having been changed by the committee on Bills in the Third Reading);

Severally having been reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

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.

At twelve minutes before twelve o'clock noon, on motion of Mrs. Poirier of North Attleborough (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.