

## JOURNAL OF THE HOUSE.

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Thursday, November 13, 2008.

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, in whom we place our confidence and trust, we try each day to understand clearly and to address thoughtfully the legislative items, which are often sensitive, complex and emotional, on our personal agenda. As elected representatives of the people our goal is to plan and to work together with constituents and colleagues to make our communities and the Commonwealth prosperous, safe and family friendly. By our mature and reasoned legislative proposals, may all people have the opportunity to utilize their personal human gifts and talents for both personal advantage and the common good. May we continue to respond to the needs of those people in our communities who cannot protect or care for themselves. May we, as a nation, continue to be a beacon of hope for people around the world by our respect for the dignity and personal rights of all individuals.

Prayer.

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.

Pledge of  
allegiance.

### *Appointments to Commissions.*

The Speaker announced the following appointments to special commissions and the Commission on the Status of Women:

That Representative St. Fleur of Boston had been appointed to the special commission established (under Section 2 of Chapter 315 of the Acts of 2008) to create graduation and dropout prevention and recovery programs.

Students,  
dropout  
prevention.

That Representative Wagner of Chicopee and Ann Klamann of Uxbridge had been appointed to the special commission established (under Section 19 of Chapter 86 of the Acts of 2006) to make an investigation and study of the uniform contractor prequalification process and organization for horizontal, public construction work;

Contractors,  
prequalification.

That Representatives Smizik of Brookline and Dempsey of Haverhill had been appointed to the special commission established (under Section 89 of Chapter 169 of the Acts of 2008) to make an investigation and study of the siting of energy facilities in the Commonwealth;

Energy  
facility  
siting.

That Ms. Stacy Dixon had been appointed and Mrs. Donna Finneran had been re-appointed (pursuant to the provisions of Section 66 of Chapter 3 of the General Laws) to the Commission on the Status of Women; and that

Status of  
Women.

Local  
revenues.

The Minority Leader had appointed Representative Peterson of Grafton to the special commission established (under Section 97 of Chapter 173 of the Acts of 2008) to investigate and study the feasibility of innovative local revenue-generating measures in an effort to provide revenue relief to municipalities.

*Guests of the House.*

Dighton  
Middle  
School.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced eighth grade students from Dighton Middle School, accompanied by their teachers and chaperones. They were the guests of Representative Haddad of Somerset.

*Resolutions.*

Allen  
Bent.

Resolutions (filed with the Clerk by Mr. Turner of Dennis) congratulating Captain Allen Bent on the occasion of his retirement from the Yarmouth Fire Department, were referred, under Rule 85, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Petitions severally were presented and referred as follows:

Checks,  
overdrafts.

By Mr. Brownsberger of Belmont, petition (subject to Joint Rule 12) of William N. Brownsberger relative to insufficient funds checks and overdraft fees.

Keith  
Bianchini,  
sick leave.

By Representative Evangelidis of Holden and Senator Chandler, joint petition (subject to Joint Rule 12) of Lewis G. Evangelidis and Harriette L. Chandler that the Department of Correction be authorized to establish a sick leave bank for Keith Bianchini, an employee of said department.

Public  
nuisances.

By Representative O'Day of West Boylston and Senator Chandler, joint petition (subject to Joint Rule 12) of James J. O'Day, Harriette L. Chandler and others relative to the penalties for violations of certain laws and to clarify the statutory authority for suppressing and eradicating certain public nuisances.

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

*Reports of Committees.*

Property taxes,  
exemption.

By Mr. Binienda of Worcester, for the committee on Revenue, on a recommitted petition, a Bill for a special law regarding clarification of the effective date of the residential exemption (House, No. 4862). Read; and referred, under Rule 33, to the committee on Ways and Means.

Wilmington,  
sewer  
district.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a petition, a Bill amending the town of Wilmington sewer act (House, No. 5125, changed in section 3, in

line 1, by inserting after the word "section" the figure "7") [Local Approval Received].

Lowell,  
funeral  
expenses.

By the same member, for the same committee, on the joint petition, a Bill authorizing the city of Lowell to pay funeral and burial expenses of employees killed in performance of duty (House, No. 5126) [Local Approval Received].

Lowell,  
Middlesex  
garage.

By the same member, for the same committee, on the joint petition, a Bill authorizing the city of Lowell to lease certain city owned land (House, No. 5127) [Local Approval Received].

Chicopee,  
government.

By the same member, for the same committee, on a petition, a Bill relative to the municipal government of the city of Chicopee (House, No. 5128) [Local Approval Received].

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

*Motions to Discharge Certain Matters  
in the Orders of the Day.*

Mrs. Haddad of Somerset moved that the engrossed Bill authorizing the establishment of the Nantucket sewer commission and sewer districts in the town of Nantucket (see House, No. 4213), which had been returned to the House by His Excellency the Governor with recommendation of amendment (for message, see House, No. 5135), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Nantucket  
Sewer  
Commission.

The amendment recommended by the Governor then was adopted in the following form (as approved by the committee on Bills in the Third Reading):

In section 10, by striking out the first sentence and inserting in place thereof the following sentence:

"Notwithstanding any provision of law to the contrary, owners of land not within the sewer districts defined and established pursuant to section 1 of this act shall not be permitted to connect to the town's sewer system except as is set forth in this act; provided, however, that the sewer commission shall be required to provide sewer service to any developments securing approval under chapter 40B or chapter 40R of the General Laws that request such service."

Sent to the Senate for its action.

The House Bill establishing the office of town manager in the town of Upton (House, No. 4975), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Peterson of Grafton; and it was read a third time and passed to be engrossed. Sent to the Senate for concurrence.

Upton,  
town  
manager.

The House Bill designating a certain park in the town of Dedham as the Honorable Marie-Louise Kehoe Park (House, No. 5112, changed), reported by the committee on Bills in the Third Reading to be correctly drawn (its title having been changed by said committee), was discharged from its position in the Orders of the

Dedham,  
Kehoe  
Park.

Day, under suspension of Rule 47, on motion of Mr. O'Day of Worcester; and it was read a third time and passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

On motion of Mr. DiMasi of Boston,—

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

Next  
sitting.

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At twenty-five minutes after eleven o'clock A.M., on motion of Mr. McMurtry of Dedham (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.