JOURNAL OF THE HOUSE.

Tuesday, January 19, 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:

Prayer. God of Goodness and Truth, at the opening of today's session we pause for a brief moment of personal reflection, prayer and meditation on spiritual matters. In and fro You we seek the intellectual and moral strength to resolve issues ethically, the courage to address our daily responsibilities correctly and to listen to the concerns of constituents patiently. We also look to You for guidance as we work together to address the current complex social, cultural and political issues on our common agenda. Help us to remain faithful to our beliefs. On this day after the Martin Luther King, Jr. holiday, may his spirit and concern for the dignity and rights of all which includes our oldest seniors and youngest children, remain with us.

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

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.

Resolutions.

David Troughton. Resolutions (filed with the Clerk by Mr. Jones of North Reading) honoring David Troughton on the occasion of his retirement were referred, under Rule 85, to the committee on Rules:

Mr. Binienda of Worcester, for said committee, reported, that the resolutions ought to be adopted. Under suspension of the Rules, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual and Special Reports.

Annual reports

Community corrections. Of the Office of Community Corrections (under Section 5 of Chapter 211F of the General Laws) submitting the annual report of said office encompassing the utilization of community centers' statistical report for fiscal year 2009; and

Workers' compensation. Of the Workers' Compensation Advisory Council (under Section 17 of Chapter 23E of the General Laws) regarding the state of the workers' compensation system; and

Energy facility siting. A report of the Executive Office of Energy and Environmental Affairs (under Section 89 of Chapter 169 of the Acts of 2008) regarding the siting of energy facilities in the Commonwealth;

Severally were placed on file.

Papers from the Senate.

Above ground storage tanks.

The Senate Bill further regulating above ground tanks used for the storage of certain funds (Senate, No. 914) on a petition, passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Joint convention.

The following order came from the Senate with the endorsement that it had been adopted by said branch:

"*Ordered*, That a convention of the two branches be held at a quarter before seven o'clock P.M., on Thursday, January 21, 2010, for the purpose of receiving such communication as the Governor, Deval L. Patrick may be pleased to make to them relating to the concerns of the Commonwealth."

Under suspension of the rules, on motion of Mr. Greene of Billerica, the order was considered forthwith; and it was adopted, in concurrence.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committee on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions;

Rumney Marsh Reservation.

Petition (accompanied by bill) of Kathi-Anne Reinstein for legislation to include the Saugus River Watershed Commission on the citizens advisory board on the uses of land with the Rumney Marsh Reservation. To the committee on State Administration and Regulatory Oversight.

Saugus River,— water line.

Petition (accompanied by bill) of Steven M. Walsh relative to authorizing an alternative mode of design and construction for the relocation and replacement of a water line under the Saugus River. To the committee on Telecommunications, Utilities and Energy.

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

Tree Borden,— sick leave.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Tree Borden, an employee of the Norfolk District Attorney's Office (House, No. 4400) be scheduled for consideration by the House.

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.

Janet Ochner,— sick leave.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Janet Ochne, an employee of the Department of Developmental Services (House, No. 4402) be scheduled for consideration by the House.

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

Westwood,— liquor licenses.

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the town of Westwood to grant three licenses for the sale of wine and malt beverages to food stores (House, No. 4089).

Arlington,— liquor licenses.

By the same member, for the same committee, on a petition, a Bill providing for a ballot question in the town of Arlington authorizing the granting of 3 licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4403).

Fore River.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the boundaries of the Fore River designated port area (House, No. 4360, changed in section 1, in line 8, by striking out the figures "3084" and inserting in place thereof the figures "3048".).

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

Price disclosure.

By Ms. Forry of Boston, for the committee on Community Development and Small Business, on House, No. 4094, a Bill relative to clear and conspicuous price disclosure (House, No. 4430).

Widow's benefits.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on Senate, No. 686 and House, No. 1821, a Bill relative to widow's benefits (House, No. 1821).

Workers' compensation,— audits.

By the same member, for the same committee, on a petition, a Bill to provide incentives for productive workers compensation audits (House, No. 1846, changed in line 14 by inserting, after the word "shall" the words "promulgate rules and regulations establishing".).

Workers' compensation,— timely reporting.

By the same member, for the same committee, on a petition, a Bill relative to the penalty for failure to timely report injuries under the workers' compensation act (House, No. 1863).

Workers' compensation,— burial benefits.

By the same member, for the same committee, on a petition, a Bill providing for burial benefits under the workers' compensation act (House, No. 1865).

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

Emergency Measures.

Anne Smith, — sick leave.

The engrossed Bill establishing a sick leave bank for Anne Smith, an employee of the Department of Revenue (see House, No. 4353), 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 5 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.

Patricia Cahill,— sick leave.

The engrossed Bill establishing a sick leave bank for Patricia Cahill, an employee of the Department of Transitional Assistance (see House, No. 4363), 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 5 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next sitting.

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

At half past 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 Thursday at eleven o'clock A.M., in an Informal Session.