

JOURNAL OF THE HOUSE.

Monday, May 10, 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:

Most Gracious God, we try to begin each day with the right intention of serving You, our constituents and our families in a faithful and generous manner. We believe that with Your assistance we shall be successful in carrying out our intention to give each day a purpose and direction. We pray for peace in our hearts and minds as we address the legislative and administrative matters of the day. Inspire us to make choices and decisions which are based on sound reason and traditional principles and values. Teach us to avoid decision-making actions which are based only on emotional responses to current needs. May we also continue our public policy of respecting the dignity and rights of each individual in our community.

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.

Communication from the Clerk.

The following communication was read for the information of the House; and placed on file, to wit:—

May 10, 2010.

The Honorable Robert A. DeLeo
Speaker of the House
State House – Room 356
Boston, Massachusetts 02133

Dear Mr. Speaker:

I have the honor to inform you that I have appointed Timothy Carroll of Boston as Second Assistant Clerk of the House of Representatives, to fill the existing vacancy.

Timothy
Carroll,—
appointment.

Respectfully,

STEVEN T. JAMES,
Clerk of the House.

Resolutions.

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

Grand Masters and Eastern Star conferences.

Resolutions (filed by Ms. Allen of Boston) welcoming the ninety-first Conference of Grand Masters, Prince Hall Masons, Inc. and sixty-second Conference of Grand Matrons and Grand Patrons of the order of the Eastern Star;

Billerica Public Library.

Resolutions (filed by Mr. Greene of Billerica) congratulating the Billerica Public Library on the tenth anniversary of its renovated building;

Alyce Davis.

Resolutions (filed by Mr. Keenan of Salem) congratulating Alyce Davis on the occasion of her retirement;

Cornelia Cassidy Koutoujian.

Resolutions (filed by Mr. Koutoujian of Waltham) in recognition of Cornelia Cassidy Koutoujian being named Woman of the Year by the Waltham Women's Action Alliance; and

Marvin E. Gilmore, Jr.

Resolutions (filed by Ms. Wolf of Cambridge) congratulating Marvin E. Gilmore, Jr. on receiving France's Legion of Honor Medal; 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. Honan of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Credit unions,—parity.

A communication from the Division of Banks (under Section 6A of Chapter 171 of the General Laws) submitting proposed amendments to regulations 209 CMR 50.00 et seq., relative to authorizing activities available to federally chartered credit unions to state chartered credit unions (House, No. 4657), was referred, under Rule 24, to the committee on Financial Services. Sent to the Senate for concurrence.

Communications

Lead removal license fees.

From the Division of Occupational Safety (under Section 3B of Chapter 7 of the General Laws) of its intent to promulgate new regulations changing the licensing fees charged for lead-safe renovator contractor licenses and lead-safe renovator training provider licenses [received and posted on April 23];

Regionalization Advisory Commission.

From the Massachusetts Regionalization Advisory Commission established (under Chapter 60 of the Acts of 2009) to review all aspects of regionalization including possible opportunities, benefits and challenges to regionalizing services including the costs and effects of regionalizing all services including, but not limited to: education, public safety, public health, public works, housing, veterans' services, workforce development, municipal finance and structure, elder services and transportation;

Severally were placed on file.

Quarterly Report.

Department of Transportation,—

The third quarterly report of the Department of Transportation (under Section 171 of Chapter 25 of the Acts of 2009) relative to the

progression of the incorporation of agencies and authorities into said department [copies of said report having been forwarded to the committees on Ways and Means and Transportation] was spread upon the records of the House; and placed on file.

quarterly report.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Arciero of Westford and Senator Panagiotakos, joint petition (accompanied by bill, House, No. 4662) of James Arciero and Steven C. Panagiotakos (by vote of the town) that the conservation commission of the town of Westford be authorized to lease, license or rent facilities at the East Boston Camps Property located in said town; and

Westford,—East Boston Camps Property.

By Mr. Rush of Boston, petition (accompanied by bill, House, No. 4663) of Michael F. Rush (with the approval of the mayor and city council) for legislation to authorize the parks and recreation commission of the city of Boston to lease certain historic property;

Boston,—historic property.

Severally to the committee on Municipalities and Regional Government. Severally sent to the Senate for concurrence.

Ms. Peisch of Wellesley presented a petition (subject to Joint Rule 12) of Alice Hanlon Peisch for legislation to establish a special commission to make an investigation and study relative to higher education scholarship programs; and the same was referred, under Rule 24, to the committee on Rules.

Scholarship programs,—study.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Higher Education. Sent to the Senate for concurrence.

By Ms. Callahan of Sutton (by request), a petition (subject to Joint Rule 12) of Elena V. Pouliot relative to monitoring the operation of school buses.

School bus driver records.

By Mr. Fennell of Lynn, a petition (subject to Joint Rule 12) of Robert F. Fennell relative to establishing a public employee retirement commission within the Executive Office for Administration and Finance.

Retirement commission.

By Mr. Fresolo of Worcester, a petition (subject to Joint Rule 12) of John P. Fresolo for legislation to further regulate vehicles for hire.

Vehicles for hire.

By Ms. Reinstein of Revere, a petition (subject to Joint Rule 12) of Kathi-Anne Reinstein relative to the detection and reporting of stolen animals by veterinarians.

Animals,—theft.

By Mr. Rodrigues of Westport, a petition (subject to Joint Rule 12) of Michael J. Rodrigues relative to establishing a sick leave bank for Colleen Robichaud, an employee of the Registry of Motor Vehicles.

Colleen Robichaud,—sick leave.

By Mr. Sullivan of Fall River, a petition (subject to Joint Rule 12) of David B. Sullivan relative to establishing a sick leave bank for Elise Lachance, an employee of the Department of Correction.

Elise Lachance,—sick leave.

Carol
Roberts,—
sick leave.

By Mr. Sullivan of Fall River, a petition (subject to Joint Rule 12) of David B. Sullivan relative to establishing a sick leave bank for Carol Roberts, an employee of the Department of Transitional Assistance. Severally referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

Newbury,—
land
transfer.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance, in consultation with the board of trustees of the Essex Agricultural and Technical Institute, to convey a certain parcel of land in the town of Newbury (Senate, No. 2285, amended in section 1, in line 5, by striking out the word "may" and inserting in place thereof the word "shall"; and by striking out section 4 and inserting in place the following section:

"SECTION 4. All costs of surveys to determine the legal boundaries and descriptions of the lots to be conveyed pursuant to section 1 shall be paid by the Essex agricultural and technical institute, Dianne Yurkavich and Michael A. Bulgaris, with each party bearing 1/3 of the costs pursuant to (d) of paragraph 5 the Compromise of the Will of Lewis Bulgaris, Essex probate and family court docket no. 96P-2049-EP1. Pursuant to clause (a) of said paragraph 5, all other costs for the conveyance of the property, not including attorneys' fees, shall be shared equally by Dianne Yurkavich and Essex agricultural and technical institute.") (on Senate bill No. 1393), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Newbury,—
elected
officials.

The Senate Bill regulating certain insurance benefits for elected official in the town of Newbury (Senate, No. 2096) (on a petition) [Local Approval Received], passed to be engrossed by the Senate was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

Taunton
State Hospital,—
Marie King
Center.

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 joint petition of James H. Fagan and Marc R. Pacheco relative to designating the Recovery Resource Center at Taunton State Hospital as the Dr. Marie King Recovery Resource Center.

Under suspension of the rules, on motion of Mr. Smizik of Brookline, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Tips,—
pooling.

By Mr. Kafka of Stoughton, for the committee on Steering, Police and Scheduling, that the Bill relative to the pooling of tips (House, No. 4324), be scheduled for consideration by the House.

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

Report of the committee on State Administration and Regulatory Oversight, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 4580) of Martin J. Walsh for legislation to require the use of proctors as monitors for instruction and training programs administered by the Division of Apprenticeship Training within the Department of Labor and Workforce Development.

Workforce
training,—
proctors.

Under suspension of the rules, on a motion of Mr. Linsky of Natick, the report was considered forthwith; and pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Walsh of Lynn.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Sarah F. Bowler, an employee of the department of children and families (see House, No. 4611, 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.

Sarah F.
Bowler,—
sick leave.

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 8 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Engrossed bills

Authorizing the town of Wilbraham to provide certain benefits to Christopher J. Doyle (see Senate, No. 2104) (which originated in the Senate);

Bills
enacted.

Authorizing the town of Oxford to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House bill printed as Senate, No. 2196); and

Relative to the historic districts commission of the town of Concord (see House, No. 632);

(Which severally originated in the House);

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.

Orders of the Day.

The House Bill establishing the Massachusetts food policy council (House, No. 4568), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

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 a quarter after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (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.