

## JOURNAL OF THE HOUSE.

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Thursday, March 28, 2013.

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).

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.

### *Silent Prayer.*

At the request of Mr. Pignatelli of Lenox, the members, guests and employees please stood in a moment of silent tribute to the memory of Lance Cpl. Roger W. Muchnick, Jr.

Lance Cpl.  
Roger W.  
Muchnick, Jr.

Lance Cpl. Muchnick passed away unexpectedly on Monday, March 18, 2013, one of eight members of the 2nd Marine Expeditionary Force accidentally killed during a training exercise at the Hawthorne Army Depot in Nevada.

A resident of Connecticut, Lance Cpl. Muchnick spent much time at Coakley Farm in Lenox, the home of his maternal grandparents, Bob and Mary Ann Coakley. He loved spending time in the Berkshires and enjoyed the outdoors, especially the horses on the farm and fishing.

Previously, as a part of Operation Enduring Freedom, Lance Cpl. Muchnick bravely served his country during a seven-month deployment to Afghanistan. His unit was later deployed to Kuwait.

Lance Cpl. Muchnick was a 2008 graduate of Staples High School in Westport, Connecticut, where he was known for his contributions to the lacrosse and football teams. He will be buried alongside his Great Uncle, Navy Lt. Cmdr. William F. Coakley, a pilot when he was shot down in North Vietnam in 1966.

### *Messages from the Governor.*

Mashpee  
Wampanoag  
Tribe,—  
state  
compact.

A message from His Excellency the Governor submitting the Tribal State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (House, No. 3375), was filed in the office of the Clerk on Wednesday, March 27.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a communication, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

Id.

A message from His Excellency the Governor for the passage of a resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (House, No. 3376), was filed in the office of the Clerk on Wednesday, March 27.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a resolve, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence.

*Resolutions.*

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

Resolutions (filed by Ms. Hogan of Stow) congratulating Cornelius J. Crowley, on achieving the rank of Eagle Scout with the Boy Scouts of America; Cornelius J. Crowley.

Resolutions (filed by Mr. O'Day of West Boylston) congratulating Regina M. Brodeur on her retirement from the Department of Children and Families; Regina M. Brodeur.

Resolutions (filed by Messrs. O'Day of West Boylston and Beaton of Shrewsbury) congratulating David P. Gillis on his retirement from the Department of Children and Families; David P. Gillis.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Benjamin Robert Bedenkop on receiving the Eagle Award of the Boy Scouts of America; Benjamin Robert Bedenkop.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Graham L. Lacek on receiving the Eagle Award of the Boy Scouts of America; Graham L. Lacek.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Brian Joseph Long on receiving the Eagle Award of the Boy Scouts of America; and Brian Joseph Long.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Adam Nejdét Oktay on receiving the Eagle Award of the Boy Scouts of America; Adam Nejdét Oktay.

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

*Communication.*

A communication from the Committee for Public Counsel Services (under the provisions of item 0321-1500 contained in Section 2 of Chapter 68 of the Acts of 2011) submitting its annual report for the fiscal year 2012, was placed on file [copies of said report forwarded, pursuant to said item, to the Senate and House committees on Ways and Means and the joint committee on the Judiciary]. Committee for Public Counsel Services.

*Annual Reports.*

Annual reports

Of the Massachusetts Gaming Commission (under Section 65 of Chapter 23K of the General Laws) relative to accounts, programs, activities and functions of the gaming licensees for the fiscal year 2013 [a copy of the report was forwarded to the committee on Ways and Means, as required by said law]; and Gaming licensees,—  
audit report.

Of the State Lottery Charitable Gaming Division (under the provisions of Section 38 of Chapter 10 of the General Laws) for the calendar year 2012; Charitable Gaming Division.

Severally were placed on file.

*Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Devers of Lawrence, a petition (subject to Joint Rule 12) of Marcos A. Devers and others relative to transfer credits for certain veterans attending institutions of higher education in the Commonwealth. Veterans,—  
higher education.

Homesteads,—  
"owner".

By Mr. DiNatale of Fitchburg, a petition (subject to Joint Rule 12) of Stephen L. DiNatale and Jennifer L. Flanagan relative to the definition of "owner" under the laws regulating estates of homestead.

Spencer-East  
Brookfield,—  
borrowing.

By Ms. Gobi of Spencer, a petition (subject to Joint Rule 12) of Anne M. Gobi, Stephen M. Brewer and Peter J. Durant for legislation to authorize the Spencer-East Brookfield Regional School District to borrow certain funds.

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

*Paper from the Senate.*

Celia  
Gentile,—  
sick leave.

The Senate Bill establishing a sick leave bank for Celia Gentile, an employee of the Department of Correction (Senate, No. 1753) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

The following petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Jeffrey  
Cowell,—  
sick leave.

Petition (accompanied by bill, Senate, No. 1760) of Michael J. Rodrigues, David B. Sullivan, Alan Silvia and Paul A. Schimd, III for legislation to establish a sick leave bank for Jeffrey Cowell, an employee of the Department of Correction. To the committee on Public Service.

Thomas S.  
Perron,—  
bridge.

Petition (accompanied by bill, Senate, No. 1759) of Richard T. Moore, Michael O. Moore and George N. Peterson, Jr., for legislation to designate a certain bridge in the town of Northbridge as the Corporal Thomas S. Perron, USMC memorial bridge. To the committee on Transportation.

*Reports of Committees.*

Irene  
Archambault,—  
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 petition of Sean Curran for legislation to establish a sick leave bank for Irene Archambault, an employee of the Trial Court. Under suspension of the rules, on motion of Mr. Rogers of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Water  
resource  
impacts.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 945) of James B. Eldridge, Michael Barrett, Kay Khan, Lori A. Ehrlich and other members of the General Court for legislation relative to water resource impacts,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Public Service, on a petition, a Bill relative to contributory health insurance in the town of Mattapoisett (House, No. 2445, changed in section 1, in line 2, by striking out the following “sepcial” and inserting in place thereof the word “special”) [Local Approval Received]. Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Mattapoisett,—  
health  
insurance.

*Reconsiderations.*

Mr. McMurtry of Dedham moved that the votes be reconsidered by which the House, on Thursday, March 21, adopted resolutions (filed by him):

Congratulating Maxwell Hasenhauer on receiving the Eagle Award of the Boy Scouts of America; and

Maxwell  
Hasenhauer.

Congratulating Joseph Perez on receiving the Eagle Award of the Boy Scouts of America;

Joseph  
Perez.

The motions to reconsider were considered forthwith; and they prevailed. On the recurring questions the resolutions were adopted.

The same member then moved that the votes be reconsidered by which the House, on Monday, March 25, adopted resolutions (filed by him):

Congratulating Eric Burgess on receiving the Eagle Award of the Boy Scouts of America;

Eric  
Burgess.

Congratulating Graydon Decamp on receiving the Eagle Award of the Boy Scouts of America; and

Graydon  
Decamp.

Congratulating Christopher Frangieh on receiving the Eagle Award of the Boy Scouts of America;

Christopher  
Frangieh.

The motions to reconsider were considered forthwith; and they prevailed. On the recurring questions the resolutions were adopted.

*Orders of the Day.*

The House Bill establishing a sick leave bank for Mary Ann Gangemi, an employee of the Department of Public Health (House, No. 3224), 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.

Mary Ann  
Gangemi,—  
sick leave.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*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 minutes after eleven o'clock A.M., on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.