

JOURNAL OF THE HOUSE.

Tuesday, January 15, 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:

Eternal God, we believe that You are the Ultimate Source of Goodness and Truth. At the beginning of today's legislative session, we take a moment for personal reflection and for a prayer to ask You for guidance as we take up the items on this day's agenda. In these uncertain and changing times, inspire us to respond fairly and correctly to the concerns of constituents and variety of needs in our communities. Teach us to consider wisely, critically and thoughtfully the legislative and administrative proposals of the people and colleagues. May our hearts and minds be filled with enthusiasm, hope and confidence as we begin this new year with new challenges.

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

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill releasing certain land in the town of Reading from the operation of a restriction on land [see House, No. 4384] (for message, see House, No. 4475) was filed in the Office of the Clerk on Friday, January 11.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the said objections.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to reducing recidivism by increasing employment opportunities (House, No. 4476) was filed in the office of the Clerk on Friday, January 11.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on the Judiciary. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill establishing financial hardship property tax interest relief (Senate, No. 1726) (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.

Intermunicipal
agreements.

A Bill further regulating intermunicipal agreements (Senate, No. 2401) (on Senate, No. 1194), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brockton,
building
commissioner.

A petition (accompanied by bill, Senate, No. 2458) of Robert S. Creedon, Jr., Geraldine Creedon, Christine E. Canavan and Thomas P. Kennedy (with the approval of the mayor and city council) for legislation relative to the certification of the inspector of buildings and building commissioner in the city of Brockton, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Reports of Committees.

Quinebaug
and
Shetucket
Rivers.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill relative to revising the composition and duties of the Quinebaug and Shetucket Rivers Valley Heritage District and Commission (Senate, No. 2310, amended) be scheduled for consideration by the House.

Placed in the Orders of the Day for the next sitting for a second reading with the amendment previously recommended by the committee on Ways and Means pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Nursing.

Establishing the nursing and allied health trust fund (Senate, No. 674);

Physicians.

Balancing the physician license renewal cycle (Senate, No. 1298);

Lung
cancer.

Designating the month of November as Lung Cancer Awareness Month (Senate, No. 1871);

Sargent
Bridge.

Designating a certain bridge in the town of Dover as the Governor Francis W. Sargent bridge (Senate, No. 2099);

Taunton.

Authorizing the certification and eligibility of Bradley Fitzgerald, James Cambra, Robert Chase, Steven Baptiste and Timothy Larkin as firefighters in the city of Taunton (Senate, No. 2154) [Local Approval Received];

Wareham.

Regulating the to provision of health insurance to surviving spouses of certain employees of the town of Wareham (Senate, No. 2157) [Local Approval Received];

Rockland.

Authorizing the town of Rockland to establish a school building capital trust fund (Senate, No. 2264, amended) [Local Approval Received];

Boxborough.

Further regulating the group insurance program of the town of Boxborough (Senate, No. 2297) [Local Approval Received];

Saltonstall
Bridge.

Designating a certain bridge in the town of Medfield as the Senator Leverett Saltonstall bridge (Senate, No. 2303);

Randolph.

Further amending the representative town meeting procedures in the town of Randolph (Senate, No. 2305) [Local Approval Received];

Beram
Corner.

Designating a certain corner in the West Roxbury section of the city of Boston as the Nicholas G. Beram Veterans Association Corner (Senate, No. 2313);

Authorizing the town of Templeton to exchange a parcel of conservation land for a larger parcel to be held for conservation purposes (Senate, No. 2318) [Local Approval Received];

Templeton.

Relative to property tax exemptions in the town of Swampscott (Senate, No. 2324) [Local Approval Received];

Swampscott.

Establishing a sick leave bank for Thomas D'Intinosanto, an employee of the Department of Mental Retardation (Senate, No. 2349, amended);

Thomas
D Intinosanto.

Relative to the Randolph Public Library (Senate, No. 2396);

Randolph.

Authorizing the investment of trust funds for the city of Northampton (Senate, No. 2400) [Local Approval Received];

Northampton.

Authorizing cities, towns and districts to send certain information to registered voters (Senate, No. 2409); and

Voters.

Authorizing the city of Quincy to establish a neighborhood stabilization fund (Senate, No. 2424); and

Quincy.

House bills

Relative to the Essex Regional Retirement System (printed as Senate, No. 1540, changed);

Essex Retirement
System.

Relative to out of state child support (House, No. 113);

Child support.

Relative to solid waste disposal facilities (House, No. 812, changed);

Solid waste.

Establishing a sudden infant death syndrome advisory council (House, No. 1678);

Infant deaths.

Allowing town meetings to be held in June (House, No. 1943);

Town meetings.

Relative to compensated absences in cities and towns (House, No. 1949);

Municipalities.

Relative to the expenditure of certain municipal and district monies (House, No. 1950);

ii

To increase the amount that can be appropriated from the balance of a capital project fund (House, No. 1951);

Capital project
funds.

Relative to the modernization of optometric patient care (House, No. 2044);

Optometric
patients.

Relative to the annual proclamation of Arbella Day (House, No. 3408);

Arbella
Day.

Punishing interference with the safe operation of trains and certain other common carriers (House, No. 3498, changed);

Railroads.

Further regulating parking for handicapped persons (House, No. 3499, changed);

Handicapped
parking.

Designating a certain street in the city of Boston as Reverend Paul A. Phinn Way (House, No. 3620);

Reverend Paul A.
Phinn.

Designating a certain traffic rotary in the town of Everett as the Edward G. Connolly memorial rotary (House, No. 3634);

Connolly
Rotary.

Relative to the interest rate to be charged upon apportioned betterment assessments for the Weweantic Sewer Project in the town of Wareham (House, No. 3985) [Local Approval Received];

Wareham.

Relative to interest rates to be charged upon apportionment betterment assessments in the town of Wareham (House, No. 3986) [Local Approval Received];

ii

Relative to establishment of a capital improvement trust fund in the town of Stoneham (House, No. 4073) [Local Approval Received];

Stoneham.

Relative to the leasing of certain property in the town of Stoneham (House, No. 4074) [Local Approval Received];

ii

Hill. Exempting certain positions in the town of Hull from the civil service law (House, No. 4219) [Local Approval Received];

Norman Rockwell. Naming Norman Rockwell as the official artist of the Commonwealth (House, No. 4228);

Plymouth. Relative to the charter of the town of Plymouth (House, No. 4267) [Local Approval Received];

Orange. Relative to firearms licensing (House, No. 4278) [Local Approval Received];

Pirelli Rink. Designating a certain ice rink in the town of Franklin as the Sergeant Robert Pirelli Veterans Memorial Rink (House, No. 4354);

Governor Andrew. Authorizing a plaque recognizing Governor John Andrew (House, No. 4395);

School buses. Goshen. Relative to the licensing of school bus drivers (House, No. 4396);

To authorize the establishment of a firearms licensing fund in the town of Goshen (House, No. 4400, changed) [Local Approval Received]; and

Malden. Providing that the person elected city councillor from Ward Seven in the city of Malden assume said office upon certificate of the votes (House, No. 4414) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Marlborough, transit authority. By Mr. Wagner of Chicopee, for the committee on Transportation, on a petition, a Bill transferring the city of Marlborough to the Metro West Regional Transit Authority (House, No. 4289).

Motor vehicles, communication devices. By the same member, for the same committee, on House, No. 3679, a Bill further regulating the use of certain communication devices while operating a motor vehicle (House, No. 4477).

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

Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Bill enacted. The engrossed Bill validating certain actions taken by the town of Abington (see House bill printed in House, No. 4467) (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 than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Bills enacted. Engrossed bills

Authorizing the town of Hopedale to acquire certain property for municipal purposes (see Senate, No. 2321) (which originated in the Senate); and

Relative to the transfer of title to condominium units (see House, No. 1246) (which 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 engrossed Bill authorizing the division of capital asset management and maintenance to exchange certain land in the town of Needham (see House, No. 4367), which had been returned to the House by His Excellency the Governor with recommendation of amendments (for message, see House, No. 4408), was considered.

Needham, land.

The amendments recommended by the Governor then were considered in the following form (as approved by the committee on Bills in the Third Reading):

In section 2, in line 1 (as printed), by inserting after the word "In" the word "partial"; and by adding at the end thereof the following three sections:

"SECTION 3. In further consideration for the conveyance authorized in section 1, the grantee or recipient of the property shall pay to the commonwealth a sum, as determined by an independent appraisal, that represents the amount by which the full and fair market value of the property described in said section 1 exceeds the full and fair market value of the property described in section 2.

SECTION 4. The grantee or recipient of the property described in section 1 shall assume the cost of any appraisals, surveys, deed preparation and other expenses considered necessary by the commissioner of the division of capital asset management and maintenance to execute the conveyance authorized by this act.

SECTION 5. Notwithstanding section 1, the transfer authorized by this act shall not occur until the land to be transferred has been determined to be surplus land under section 7E of chapter 81 and section 40F½ of chapter 7 of the General Laws."

Pending the question on adoption of the amendments recommended by the Governor, Mrs. Harkins of Needham moved that they be amended by striking out proposed section 5.

The further amendment was adopted.

The amendments recommended by the Governor, as amended, then also were adopted. 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 tomorrow at eleven o'clock A.M.

Next sitting.

At twenty-seven minutes before twelve o'clock noon, on motion of Mr. Honan of Boston (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.