Thursday, February 1, 2007.

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.

Gracious God, our daily intention is to begin each day with a prayer of thanksgiving. We are grateful for our material and spiritual blessings, for the love of our families and for the confidence which the voters have in us, our integrity, our goals and high ethical standards. We recognize our inability to address and resolve all the many legislative and public policy issues which come before us. In Your goodness, help us to do our best in making our communities stable, safe, prosperous for all and well-prepared to meet the needs of future generations.

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.

Message from the Governor.

Hawley,— town election.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the proceedings of a special town election in the town of Hawley (House, No. 2028) was filed in the office of the Clerk on Tuesday, January 30.

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

Appointment of Majority Leaders.

Majority Leaders and Speaker *pro-tempore.*

Under the provisions of Rule 18, the Speaker announced that the Majority Party Caucus had ratified the following appointments: Representative Rogers of Norwood, Majority Floor Leader; Representative Harkins of Needham, Assistant Majority Floor Leader; Representative Rushing of Boston, Second Assistant Majority Floor Leader; and Representative Petrolati of Ludlow, Speaker *pro-tempore*.

House Standing Committees.

House standing committees.

House standing committees were appointed as follows:—

Rules. — Representatives Scaccia of Boston, Fox of Boston, Rushing of Boston, Petrolati of Ludlow, Harkins of Needham, Tobin of Quincy, Rogers of Norwood, Toomey of Cambridge, Golden of Lowell, Kaprielian of Watertown, O'Flaherty of Chelsea, Petruccelli of Boston, Frost of Auburn, Perry of Sandwich and Polito of Shrewsbury.

Ways and Means. — Representatives DeLeo of Winthrop, St. Fleur of Boston, Vallee of Franklin, Speliotis of Danvers, Hynes of Marshfield, Kennedy of Brockton, Galvin of Canton, Kafka of Stoughton, Greene of Billerica, Quinn of Dartmouth, Kujawski of Webster, Garry of Dracut, Naughton of Clinton, Creedon of Brockton, Finegold of Andover, Wolf of Cambridge, Malia of Boston, Timilty of Milton, Linsky of Natick, Falzone of Saugus, Gobi of Spencer, Grant of Beverly, Lantigua of Lawrence, Koczera of New Bedford, Speranzo of Pittsfield, Moran of Boston, deMacedo of Plymouth, Polito of Shrewsbury, Evangelidis of Holden, Loscocco of Holliston, Perry of Sandwich and Webster of Hanson.

House Bills in the Third Reading. — Representatives Golden of Lowell, Murphy of Weymouth and Peterson of Grafton.

Ethics. — Representatives Fagan of Taunton, Flanagan of Leominster, Petrolati of Ludlow, Harkins of Needham, Tobin of Quincy, O'Flaherty of Chelsea, Costello of Newburyport, Rogeness of Longmeadow, Barrows of Mansfield, Perry of Sandwich and Peterson of Grafton.

Personnel and Administration. — Representatives Miceli of Wilmington, Kennedy of Brockton, Kujawski of Webster, Stanley of West Newbury, Atkins of Concord, Fresolo of Worcester, Provost of Somerville, _____ of _____, _____ of _____, Ross of Wrentham, Barrows of Mansfield, Evangelidis of Holden and Webster of Hanson.

Post Audit and Oversight. — Representatives Hall of Westford, Swan of Springfield, Marzilli of Arlington, Quinn of Dartmouth, Stanley of West Newbury, Ayers of Quincy, Stanley of Waltham, DiNatale of Fitchburg, Smith of Everett, Hargraves of Groton and Frost of Auburn.

Steering, Policy and Scheduling. — Representatives Donato of Medford, Spiliotis of Peabody, Kennedy of Brockton, Casey of Winchester, Eldridge of Acton, Wallace of Boston, Guyer of Dalton, Sannicandro of Ashland, Welch of West Springfield, Hill of Ipswich and Poirier of North Attleborough.

Floor Division Committees. — First Division Chairperson, Representative Kaprielian of Watertown; Second Division Chairperson, Representative Canavan of Brockton; Third Division Chairperson, Representative Tobin of Quincy; Fourth Division Chairperson, Representative Nangle of Lowell.

Joint Standing Committees.

Joint standing committees.

Bonding, Capital Expenditures and State Assets. — Senators Montigny, Joyce, Creem, Moore, Wilkerson and Knapik; Representatives Flynn of Bridgewater, Walsh of Lynn, Malia of Boston, Atsalis of Barnstable, Falzone of Saugus, Scibak of South Hadley, Spiliotis of Peabody, Canessa of New Bedford, Provost of Somerville, Poirier of North Attleborough and Polito of Shrewsbury.

Children and Families. — Senators Spilka, McGee, Baddour, Jehlen, Resor and Tarr; Representatives Coakley-Rivera of Springfield,

Joint standing committees.

LeDuc of Marlborough, Atkins of Concord, Nyman of Hanover, Eldridge of Acton, Grant of Beverly, Sannicandro of Ashland, Fernandes of Milford, Richardson of Framingham, Lepper of Attleboro and Rogeness of Longmeadow.

Community Development and Small Business. — Senators Chandler, Joyce, McGee, Buoniconti, Timilty and Hedlund; Representatives Petruccelli of Boston, Welch of West Springfield, Callahan of Sutton, Eldridge of Acton, L'Italien of Andover, Sciortino of Medford, Speranzo of Pittsfield, Turner of Dennis, McCarthy of East Bridgewater, Polito of Shrewsbury and Gifford of Wareham.

Consumer Protection and Professional Licensure. — Senators Morrissey, Montigny, Barrios, Joyce, Downing and Brown; Representatives Rodrigues of Westport, Khan of Newton, Kafka of Stoughton, Straus of Mattapoisett, Murphy of Burlington, Kane of Holyoke, Spiliotis of Peabody, Wallace of Boston, Calter of Kingston, Humason of Westfield and Ross of Wrentham.

Economic Development and Emerging Technologies. — Senators Hart, Montigny, Timilty, Spilka, Tucker and Tarr; Representatives Bosley of North Adams, Sánchez of Boston, Story of Amherst, Stanley of West Newbury, Finegold of Andover, Nyman of Hanover, Kocot of Northampton, Murphy of Weymouth, Scibak of South Hadley, Rice of Gardner, Conroy of Wayland, Hill of Ipswich and Ross of Wrentham.

Education. — Senators Antonioni, Augustus, Resor, Spilka, Wilkerson and Brown; Representatives Haddad of Somerset, Creedon of Brockton, Petersen of Marblehead, LeDuc of Marlborough, Wolf of Cambridge, Peisch of Wellesley, Walz of Boston, Rice of Gardner, Sandlin of Agawam, Perry of Sandwich and Ross of Wrentham.

Elder Affairs. — Senators Jehlen, Candaras, Tucker, O'Leary, Timilty and Tisei; Representatives Correia of Fall River, Reinstein of Revere, Walsh of Boston, Atkins of Concord, Ayers of Quincy, Lantigua of Lawrence, Provost of Somerville, Allen of Boston, Fernandes of Milford, Poirier of North Attleborough and Frost of Auburn.

Election Laws. — Senators Augustus, Spilka, Baddour, Morrissey, Creedon and Brown; Representatives Bradley of Hingham, Atsalis of Barnstable, Casey of Winchester, Galvin of Canton, Quinn of Dartmouth, Kujawski of Webster, L'Italien of Andover, Driscoll of Braintree, Allen of Boston, Frost of Auburn and Rogeness of Longmeadow.

Environment, Natural Resources and Agriculture. — Senators Resor, Pacheco, Brewer, Creedon, O'Leary and Tarr; Representatives Smizik of Brookline, Kocot of Northampton, Petersen of Marblehead, Walsh of Boston, Gobi of Spencer, Guyer of Dalton, Moran of Boston, Brownsberger of Belmont, Peake of Provincetown, Gifford of Wareham and Evangelidis of Holden.

Financial Services. — Senators Buoniconti, Wilkerson, Downing, Montigny, Tucker and Knapik; Representatives Mariano of Quincy, Spellane of Worcester, Galvin of Canton, Nyman of Hanover, Stanley of Waltham, Driscoll of Braintree, Welch of West Springfield, Peake of Provincetown, Smith of Everett, Webster of Hanson and Barrows of Mansfield.

Health Care Financing. — Senators Moore, Tolman, Jehlen, Fargo, Spilka, Candaras and Tarr; Representatives Walrath of Stow, Kulik of Worthington, Hynes of Marshfield, Koczera of New Bedford, Khan of Newton, Linsky of Natick, Kane of Holyoke, Kocot of Northampton, Speranzo of Pittsfield, D'Amico of Seekonk, Puppolo of Springfield, Hargraves of Groton and Gifford of Wareham.

Higher Education. — Senators O'Leary, Panagiotakos, Moore, Spilka, Rosenberg and Brown; Representatives Murphy of Lowell, Speliotis of Danvers, Sullivan of Fall River, Reinstein of Revere, Callahan of Sutton, Donelan of Orange, Pignatelli of Lenox, Calter of Kingston, DiNatale of Fitchburg, Humason of Westfield and Peterson of Grafton.

Housing. — Senators Tucker, O'Leary, Barrios, Chandler, Panagiotakos and Hedlund; Representatives Honan of Boston, Stanley of Waltham, Story of Amherst, Fennell of Lynn, Fresolo of Worcester, Curran of Springfield, Sannicandro of Ashland, Turner of Dennis, Richardson of Framingham, Peterson of Grafton and Loscocco of Holliston.

The Judiciary. — Senators Creedon, Baddour, Antonioni, Creem, McGee and Tarr; Representatives O'Flaherty of Chelsea, Murphy of Burlington, Naughton of Clinton, Murphy of Weymouth, Peisch of Wellesley, Walsh of Lynn, Curran of Springfield, Keenan of Salem, Walz of Boston, Evangelidis of Holden and Webster of Hanson.

Labor and Workforce Development. — Senators McGee, Resor, Jehlen, Augustus, Tolman and Hedlund; Representatives Torrisi of North Andover, Scibak of South Hadley, Casey of Winchester, Garry of Dracut, Atsalis of Barnstable, L'Italien of Andover, Curran of Springfield, Walz of Boston, Calter of Kingston, Loscocco of Holliston and Polito of Shrewsbury.

Mental Health and Substance Abuse. — Senators Candaras, Antonioni, Tolman, Hart, Wilkerson and Tisei; Representatives Balser of Newton, Malia of Boston, Fallon of Malden, Sullivan of Fall River, Peisch of Wellesley, Alicea of Charlton, Brownsberger of Belmont, D'Amico of Seekonk, Richardson of Framingham, Webster of Hanson and Lepper of Attleboro.

Municipalities and Regional Government. — Senators Timilty, Jehlen, Baddour, Barrios, Fargo and Tisei; Representatives Pedone of Worcester, Walsh of Boston, Marzilli of Arlington, Petersen of Marblehead, Patrick of Falmouth, Canessa of New Bedford, Guyer of Dalton, Peake of Provincetown, _____ of _____, Barrows of Mansfield and Smola of Palmer.

Public Health. — Senators Fargo, Creem, Barrios, Buoniconti, Chandler and Hedlund; Representatives Koutoujian of Waltham, Wolf of Cambridge, Toomey of Cambridge, Gobi of Spencer, Callahan of Sutton, Grant of Beverly, Flanagan of Leominster, Sciortino of Medford, Turner of Dennis, Hargraves of Groton and Humason of Westfield.

Public Safety and Homeland Security. — Senators Barrios, Brewer, Buoniconti, Candaras, Jehlen and Brown; Representatives Costello of

Joint standing committees.

Newburyport, Naughton of Clinton, Toomey of Cambridge, Ayers of Quincy, Reinstein of Revere, Donelan of Orange, Rush of Boston, Alicea of Charlton, DiNatale of Fitchburg, Perry of Sandwich and Hill of Ipswich.

Public Service. — Senators Downing, Tolman, Hart, Joyce, Candaras and Knapik; Representatives Kaufman of Lexington, Forry of Boston, Kafka of Stoughton, Greene of Billerica, Fresolo of Worcester, Donelan of Orange, Pignatelli of Lenox, Conroy of Wayland, McCarthy of East Bridgewater, Smola of Palmer and Lepper of Attleboro.

Revenue. — Senators Creem, Joyce, Buoniconti, O'Leary, Panagiotakos and Knapik; Representatives Binienda of Worcester, Straus of Mattapoisett, Timilty of Milton, Driscoll of Braintree, Rush of Boston, Natale of Woburn, Campbell of Methuen, Conroy of Wayland, D'Amico of Seekonk, Ross of Wrentham and Barrows of Mansfield.

State Administration and Regulatory Oversight. — Senators Wilkerson, Jehlen, Creedon, Fargo, Tolman and Tisei; Representatives Cabral of New Bedford, Festa of Melrose, Khan of Newton, Fallon of Malden, Linsky of Natick, Patrick of Falmouth, Rush of Boston, Rice of Gardner, Brownsberger of Belmont, Gifford of Wareham and Hill of Ipswich.

Telecommunications, Utilities and Energy. — Senators Morrissey, Tucker, Creem, Pacheco, Chandler and Tarr; Representatives Dempsey of Haverhill, Kane of Holyoke, LeDuc of Marlborough, Patrick of Falmouth, Keenan of Salem, Forry of Boston, Moran of Boston, Campbell of Methuen, Puppolo of Springfield, Smola of Palmer and deMacedo of Plymouth.

Tourism, Arts and Cultural Development. — Senators Joyce, Timilty, Morrissey, Resor, Wilkerson and Tisei; Representatives Turkington of Falmouth, Story of Amherst, Sullivan of Fall River, Pignatelli of Lenox, Wallace of Boston, Keenan of Salem, Allen of Boston, Puppolo of Springfield, Sandlin of Agawam, Gifford of Wareham and Smola of Palmer.

Transportation. — Senators Baddour, Chandler, Barrios, McGee, Montigny, Timilty and Hedlund; Representatives Wagner of Chicopee, Fennell of Lynn, Marzilli of Arlington, Timilty of Milton, Canessa of New Bedford, Flanagan of Leominster, Natale of Woburn, Sciortino of Medford, Fernandes of Milford, Sandlin of Agawam, Smith of Everett, Loscocco of Holliston and Humason of Westfield.

Veterans and Federal Affairs. — Senators Brewer, Augustus, Downing, Hart, McGee and Brown; Representatives Verga of Gloucester, Falzone of Saugus, Fallon of Malden, Murphy of Burlington, Natale of Woburn, Alicea of Charlton, Campbell of Methuen, McCarthy of East Bridgewater, _____ of _____, Poirier of North Attleborough and Smola of Palmer.

Resolutions.

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

Resolutions (filed by Mr. Fernandes of Milford) congratulating the Milford High School "Scarlet Hawks" boys varsity football team; Milford football team.

Resolutions (filed by Mr. Hynes of Marshfield) commemorating the two hundred and seventy-fifth anniversary of the birth of George Washington; and George Washington.

Resolutions (filed by Mr. Linsky of Natick) congratulating Elliot Christopher Goldman on receiving the Eagle Award of the Boy Scouts of America; Elliot Christopher Goldman.

Mr. Scaccia of Boston, 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. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

A petition (accompanied by bill, House, No. 2029) of Stephen P. LeDuc and Pamela P. Resor for legislation to establish the Marlborough 2010 Corporation (having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws with memoranda relative thereto) was referred, under Rule 24, to the committee on Economic Development and Emerging Technologies. Sent to the Senate for concurrence. Marlborough,—2010 Corporation.

Papers from the Senate.

A Bill deferring the acceptance in the town of Marblehead of chapter 40N of the Massachusetts General Laws until acceptance by a majority vote of town meeting (Senate, No. 10) (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. Marblehead,—Chapter 40N.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

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

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been 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, its title having been changed by said committee to read: "An Act relative to the acceptance of Chapter 40N of the General Laws in the town of Marblehead.".

A Bill relative to the town of Randolph (Senate, No. 11) (on Senate bill, No. 6) [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. Randolph,—town meeting.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Anthony Ferrara, an employee of the Department of Revenue (see House, Anthony Ferrara,—sick leave.

Anthony Ferrara,—sick leave.

No. 2022), 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 6 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.

Engrossed Bills.

Engrossed bills

Bills enacted.

Authorizing the town of Monroe to exempt certain property from taxation (see House, No. 2008);

Establishing an office of finance in the town of Spencer (see House, No. 2013);

Relative to the procedures of town meeting in the town of Burlington (see House, No. 2014);

Authorizing the town of Wellesley to establish a group insurance liability fund (see House, No. 2015);

Authorizing the town of North Attleborough to enter into a certain lease (see House, No. 2016);

Relative to health benefits in the town of North Andover (see House, No. 2018);

Establishing a golf course capital improvement fund in the town of Dennis (see House, No. 2019);

Relative to the sewerage facilities and betterments in the town of Millbury (see House, No. 2024); and

Authorizing the town of Florida to exempt certain property from taxation (see House, No. 2025);

(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.

Senate bills

Third reading bills.

Prohibiting certain dumping in the city of Brockton (Senate, No. 5);

Relating to the railroad depot contamination remediation and redevelopment project in the city of New Bedford (Senate, No. 7);

Authorizing the town of Rockland to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 8); and

Relative to residency requirements for regular fire and police officers in the town of Boxborough (Senate, No. 9) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Recess.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. Brownsberger of Belmont (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before one o'clock P.M.; and at five minutes before one o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Engrossed Bills.

Engrossed bills

Prohibiting certain dumping in the city of Brockton (see Senate, No. 5); Bills enacted.

Relative to the railroad depot contamination remediation and redevelopment project in the city of New Bedford (see Senate, No. 7);

Authorizing the town of Rockland to issue an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 8);

Relative to residency requirements for regular fire and police officers in the town of Boxborough (see Senate, No. 9); and

Relative to the acceptance of Chapter 40N of the General Laws in the town of Marblehead (see Senate, No. 10);

(Which severally originated in the Senate);

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.

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.

Messrs. Smizik of Brookline, Sánchez of Boston, Moran of Boston and Rush of Boston then moved that as a mark of respect to the memory of the Reverend Robert F. Drinan, a member of Congress from Massachusetts from 1971 to 1981, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at two minutes before one o'clock P.M., on motion of Mr. Smizik (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.