

JOURNAL OF THE HOUSE.

Monday, March 31, 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:

God, Our Creator, the Ultimate Source of Forgiveness and Truth, we pray to You for guidance as we take up the items on our legislative and personal agenda for the day. In Your goodness, help us, as elected leaders in our communities, to be open to the insights and the needs of constituents and to make reasonable and just decisions. Teach us to be fair but critical in our evaluation of all proposals. When we, as individuals or as a society, disagree on either complex or emotional current issues, inspire us to be respectful and civil in our discussions. May we continue to remain faithful to our spiritual and human values and our traditional goals and principles.

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.

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 acts and proceedings of the 2007 spring annual town meeting and 2007 fall annual town meeting to the town of Natick (House, No. 4623) was filed in the office of the Clerk on Friday, March 28.

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

Communication.

A communication from the Public Employee Retirement Administration Commission (under Section 50 of Chapter 7 of the General Law) submitting proposed amendments to 840 CMR 10.12, 10.14 and 13.00 relative to governing retirement of public employees in the Commonwealth (House, No. 4622), was referred to the committee on Public Service. 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 Mr. Atsalis of Barnstable) congratulating Lois Lomba on the occasion of her retirement;

Richard and Madeleine Cloutier.

Resolutions (filed by Representatives Gobi of Spencer and Alicea of Charlton) congratulating Richard and Madeleine Cloutier on the occasion of their fiftieth wedding anniversary;

Matthew Carlo Romano.

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) congratulating Boy Scout Matthew Carlo Romano of Boy Scout Troop 88 on earning the prestigious Eagle Scout Award;

Michael B. Alexander.

Resolutions (filed by Representatives Khan of Newton, Balser of Newton and Koutoujian of Waltham) congratulating Michael B. Alexander on his installation as the ninth president of Lasell College;

David Cusolito.

Resolutions (filed by Mr. Patrick of Falmouth) congratulating David Cusolito on his retirement as Chief of Police for the town of Falmouth; and

Provincetown, Knights of Columbus.

Resolutions (filed by Ms. Peake of Provincetown) honoring the Knights of Columbus Chapter in Provincetown;

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

Papers from the Senate.

Bills

Sexual assault prevention.

Establishing a campus rape and sexual assault prevention advisory council (Senate, No. 737, amended, in line 4, by inserting after the word "guidelines" the words "for response to and prevention of rape and sexual assault"; in line 11, by striking out the word "chairman" and inserting in place thereof the word "chairperson"; and in line 15, by inserting after the word "office," the words "the department of public health,") (on a petition); and

Joint labor committee.

Relative to the Joint Labor-Management Committee (Senate, No. 1095) (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Wine, recorking.

Relative to the recorking of wine (Senate, No. 198) (on a petition);

Charter school working group.

Establishing a charter school working group (Senate, No. 282, amended, in line 13, by striking out the word "Administration" and inserting in place thereof the word "education") (on a petition);

Norwell, rent regulations.

Providing for the establishment and administration of rent regulations and the control of evictions in mobile home parks in the town of Norwell (Senate, No. 2320) (on a petition) [Local Approval Received];

East Boston, Bremen St. Park.

Designating a portion of the Bremen Street Park in East Boston as the Representative George DiLorenzo Playground (Senate, No. 2393) (on a petition); and

Milton, borrow money.

Authorizing the town of Milton to borrow money to fund certain payments (Senate, No. 2487) (on a petition) [Local Approval Received];

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Gary Tuck, sick leave.

Petition (accompanied by bill) of Stephen Stat Smith for legislation to establish a sick leave bank for Gary Tuck, an employee of the Department of Revenue. To the committee on Public Service.

Paul Barry Bridge.

Petition (accompanied by bill) of Vincent A. Pedone relative to designating a bridge in the city of Worcester as the State Trooper Paul F. Barry Memorial Bridge. To the committee on Transportation.

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

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to automobile insurers and appraisers (House, No. 1049),— and recommending that the same be recommitted to the committee on Financial Services. Under Rule 42, the report was considered forthwith; and it was accepted.

Vehicle appraisers.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on House, Nos. 4, 8, 16, 52, 75, 77, 78, 102, 115, 390, 501, 927, 972, 1266, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1305, 1306, 1307, 1309, 1310, 1312, 1316, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1329, 1330, 1336, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1379, 1380, 1381, 1384, 1385, 1386, 1387, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1406, 1407, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1440, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1528, 1530, 1531, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1623, 1624, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1653, 1654,

Courts.

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Vehicle operations, study. By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 319, 623, 2040, 3422, 3429, 3445, 3447, 3451, 3454, 3469, 3477, 3489, 3506, 3507, 3510, 3512, 3513, 3519, 3527, 3546, 3547, 3548, 3563, 3566, 3573, 3574, 3575, 3577, 3585, 3586, 3587, 3596, 3602, 3603, 3605, 3607, 3612, 3616, 3622, 3624, 3639, 3653, 3655, 3656, 3657, 3658, 3660, 3662, 3663, 3690, 3832 and 4509, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning junior operators, parking and vehicle operations (House, No. 4616).

Bridge and road namings. By the same member, for the same committee, on House, Nos. 928, 1154, 3437, 3452, 3453, 3476, 3487, 3497, 3522, 3539, 3591, 3649, 3650, 3652, 3673, 3676, 3677, 3681, 3689 and 4572, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning road and bridge namings, the Department of Highways and other related matters (House, No. 4617).

Distinctive license plates. By the same member, for the same committee, on House, Nos. 3426, 3427, 3479, 3480, 3508, 3511, 3514, 3515, 3525, 3535, 3536, 3537, 3580, 3581, 3582, 3583, 3589, 3608, 3631, 3637, 3638, 3645, 3646, 3666, 3669, 3671, 3693, 3736 and 3767, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning distinctive motor vehicle license plates (House, No. 4618).

MBTA and Port Authority. By the same member, for the same committee, on House, Nos. 3431, 3433, 3438, 3443, 3459, 3462, 3465, 3502, 3530, 3541, 3542, 3556, 3557, 3558, 3559, 3590, 3633, 3670 and 3685, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning the Massachusetts Bay Transportation Authority and other related matters (House, No. 4619).

Licensing and registration. By the same member, for the same committee, on House, Nos. 3435, 3442, 3449, 3481, 3505, 3567, 3618, 3651 and 3668, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning licensing and registration (House, No. 4620).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on House, No. 21, a Bill authorizing the Department of Conservation and Recreation to acquire certain lands (House, No. 4629). Conservation land.

By the same member, for the same committee, on House, No. 43, a Bill authorizing the conveyance of certain Commonwealth property to the town of Sherborn (House, No. 4630). Sherborn, land.

By the same member, for the same committee, on House, No. 54, a Bill authorizing the Commissioner of Capital Asset Management and Maintenance to lease certain property in the town of Great Barrington (House, No. 4631). Great Barrington, land lease.

By the same member, for the same committee, on House, No. 56, a Bill directing the Division of Capital Asset Management and Maintenance to conduct a certain study (House, No. 4632). DCAM, Shattuck Hospital study.

By the same member, for the same committee, on House, No. 4351, a Bill authorizing the Commissioner of Capital Asset Management and Maintenance to lease certain property to the town of Natick (House, No. 4633). Natick, land lease.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill further regulating the use of personal information by insurance companies (House, No. 1008). Insurance companies.

By the same member, for the same committee, on a petition, a Bill protecting military service members (House, No. 4508). Military, insurance.

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 3467 and 3468, a Bill relative to precautions at railroad crossings (House, No. 4634). Railroad crossings.

By the same member, for the same committee, on House, No. 3604, a Bill relative to speed limits (House, No. 4635). Speed limits.

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

Engrossed Bill and Resolve.

The engrossed Bill relative to the board of public works in the town of Whitman (see House, No. 4045) (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; and it was signed by the acting Speaker and sent to the Senate. Bill enacted.

The engrossed Resolve providing for an investigation and study by a special commission relative to the establishment of a cranberry heritage area (see Senate, No. 2496) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed; and it was signed by the acting Speaker and sent to the Senate. Resolve passed.

Order.

On motion of Mr. DiMasi of Boston,—

Next
sitting.

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

At a quarter after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.