

## JOURNAL OF THE HOUSE.

Tuesday, April 17, 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.

God of Goodness and Truth, we pray for Your assistance which we believe helps us to carry out our daily, sometimes burdensome, tasks and responsibilities. Each one of us has a variety of personal obligations to meet and Your guidance shows us the right way to address them successfully. As we go through each day, teach us to remain faithful to You, traditional philosophical principles and our human and spiritual values. Inspire us to build communities which are safe, free of violence against all people and responsive to the needs of our families and constituents in this age of great change.

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.

### *Silent Prayer.*

Virginia Tech.

At the request of the Chair (Mr. Donato of Medford), the members, guests and employees then stood for a moment of silent prayer in memory of the victims of the recent armed violence at Virginia Tech.

### *Message from the Governor — Bill Returned with Recommendation of Amendment.*

Commission Against Discrimination.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill further regulating the Massachusetts Commission Against Discrimination [see House, No. 3967, changed] (for message, see House, No. 3979) was filed in the office of the Clerk on Friday, April 13.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Golden of Lowell, to the committee on Bills in the Third Reading.

### *Messages from the Governor.*

Post-release supervision.

A message from His Excellency the Governor recommending legislation relative to further regulating post-release supervision (House, No. 500) was filed in the office of the Clerk on Thursday, April 12.

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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.

A message from His Excellency the Governor recommending legislation relative to enhancing information sharing concerning at-risk juveniles (House, No. 501) was filed in the office of the Clerk on Thursday, April 12.

At-risk juveniles.

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.

### *Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Scibak of South Hadley, joint petition (accompanied by bill, House, No. 3978) of John W. Scibak and Michael R. Knapik (by vote of the town) that the town of Easthampton be authorized to issue an additional license for the sale of alcoholic beverages to be drunk on the premises of the "Old Memorial Hall". To the committee on Consumer Protection and Professional Licensure.

Easthampton, Old Memorial Hall.

By Mr. Correia of Fall River, petition (accompanied by bill, House, No. 3980) of Robert Correia (with the approval of the mayor and city council) that the city of Fall River be authorized to increase the pension payable to Dennis O'Neil, a retired police officer of said city;

Fall River, Dennis O'Neil.

By Mr. Pedone of Worcester, petition (accompanied by bill, House, No. 3981) of Vincent A. Pedone (with the approval of the city council) for certain changes in the law relative to civil service positions in the city of Worcester; and

Worcester, civil service.

By Mr. Smith of Everett, petition (accompanied by bill, House, No. 3982) of Stephen Stat Smith (with the approval of the mayor, board of aldermen and common council) that the city of Everett be authorized to appoint retired police officers of said city as special police to perform work details;

Everett, police.

Severally to the committee on Public Service.  
Severally sent to the Senate for concurrence.

### *Papers from the Senate.*

#### *Bills*

Establishing a sick leave bank for Jacqueline C. Russo, an employee of the Department of Housing and Community Development (Senate, No. 1614) (on a petition);

Jacqueline C. Russo, sick leave.

Authorizing the Division of Capital Asset Management and Maintenance to exchange land held for conservation and recreation purposes with the Nye Family of America Association, Inc. (Senate, No. 2210) (on Senate bill, No. 52);

D C A M M, Sandwich land exchange.

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*

Exempting the position of superintendent of police in the city of Lowell from the civil service law (Senate, No. 2161) (on a petition) [Local Approval Received];

Lowell, civil service law.

Walpole

and Sharon,  
MWR.A.

Authorizing the Massachusetts Water Resources Authority to grant access to its sewer system to a certain property in the town of Sharon (Senate, No. 2212) (on Senate bill No. 2173);

Walpole and  
Foxborough,  
MWR.A.

Authorizing the Massachusetts Water Resources Authority to grant access to its sewer system to a certain property in the town of Foxborough (Senate, No. 2213) (on Senate bill No. 2174);

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.

Library  
construction,  
funding.

A report of the Senate committee on Ways and Means, asking to be discharged from further consideration of the Senate Bill relative to public library construction funding (Senate, No. 2176), and recommending that the same be referred to the committee on Bonding, Capital Expenditures and State Assets,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, insomuch as relates to the reference.

Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Dogs  
and cats,  
sales.

Of the petition (accompanied by bill, Senate, No. 224) of Pamela P. Resor for legislation relating to warranty periods for sales of cats and dogs,— and recommending that the same be referred to the committee on Community Development and Small Business.

Telecommu-  
nications  
professionals,  
licensing.

Of the petition (accompanied by bill, Senate, No. 204) of Michael W. Morrissey for legislation relative to the licensing of telecommunications professionals; and

Wire  
inspectors,  
qualifications.

Of the petition (accompanied by bill, Senate, No. 237) of Richard R. Tisei for legislation relative to the qualification of inspectors of wire and assistant inspectors of wire employed by a city or town;

And recommending that the same be referred to the committee on Telecommunications, Utilities and Energy.

Class 2  
licenses.

Of the petition (accompanied by bill, Senate, No. 227) of James E. Timilty for legislation relative to education requirements for class 2 motor vehicle licensees,— and recommending that the same be referred to the committee on Transportation.

Of the committee on Transportation, asking to be discharged from further consideration

Mooring  
permits.

Of the petition (accompanied by bill, Senate, No. 2075) of Michael W. Morrissey for legislation relative to mooring permits assigned to entities for rental or leasing purposes; and

Mooring  
fees.

Of the petition (accompanied by bill, Senate, No. 2079) of Robert A. O'Leary for legislation relative to mooring fee requirements;

And recommending that the same severally be referred to the committee on Environment, Natural Resources and Agriculture.

Operation,  
motor  
vehicle.

Of the petition (accompanied by bill, Senate, No. 2096) of Bruce E. Tarr for legislation to deter the operation of a motor vehicle while intoxicated,— and recommending that the same be referred to the committee on the Judiciary.

Seat belt,

Of the petition (accompanied by bill, Senate, No. 2068) of Mark C. Montigny for legislation to establish a primary seat belt law,— and recommending that the same be referred to the committee on Public Safety and Homeland Security.

primary.

Of the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2052) of Cynthia S. Creem, James E. Timilty and Martha Walz for legislation to establish a tax credit for employer-sponsored ridesharing benefits,— and recommending that the same be referred to the committee on Transportation.

Ridesharing,  
tax credit.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

A petition of Pamela P. Resor and James B. Eldridge (by vote of the town of Shirley) for legislation to authorize the Middlesex Retirement Board to grant a certain pension to James Charles Mickel, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

James  
Charles  
Mickel,  
retirement.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2208) was referred, in concurrence, to the committee on Public Service.

Orders of the Day.

The House Bill providing the terms of certain bonds to be issued by the Commonwealth (House, No. 3977), 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.

Recess.

At twenty-five minutes before twelve o'clock noon, on motion of Mr. Fagan of Taunton (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock; and at four minutes before one o'clock P.M. the House was called to order with Mr. Rushing of Boston in the Chair.

Recess.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Janice Brown, an employee of the Appellate Tax Board (see House, No. 44), 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.

Janice  
Brown,  
sick leave  
bank.

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 2 to 0. Sent to the Senate for concurrence.

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.

Bill  
enacted.

Police

officers,  
civil service  
exams.

The engrossed Bill relative to civil service examinations for appointment as police officers (see House, No. 2666, 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.

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 2 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.

Bonds,  
terms.

The engrossed Bill providing the terms of certain bonds to be issued by the Commonwealth (see House, No. 3977), 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 2 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.

*Order.*

Next  
sitting.

On motion of Mr. DiMasi of Boston,—  
*Ordered,* That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Mr. Dempsey of Haverhill then moved that as a mark of respect to the memory of Charles Marston III, a member of the House from Haverhill from 1951 to 1956, inclusive, the House adjourn; and the motion prevailed.

Accordingly, at seventeen minutes after one o'clock P.M., on motion of Ms. Rogeness of Longmeadow (Mr. Rushing of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.