

Monday, April 30, 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 Compassion and Truth, we place our confidence and hope in You. We believe that Your assistance energizes us to carry out, in a conscientious manner, our daily tasks and to respond to the countless needs of people in our communities. In the House Budget Bill, we offered our legislative decisions to meet the current and future needs of our communities and the Commonwealth. By working together and by respecting the insights and views of others, we can build more stable and safe communities. May the human, civil and religious rights of all be top items on our agenda.

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.

Resolutions.

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

Linda Benedict Colvin.

Resolutions (filed by Messrs. Rogers of Norwood, Kafka of Stoughton and Ross of Wrentham) congratulating Linda Benedict Colvin on the occasion of her retirement;

David W. Harlow.

Resolutions (filed by Mr. Jones of North Reading) congratulating Fire Chief David W. Harlow for his thirty-three years of dedicated service to North Reading.

Henry J. Purnell.

Resolutions (filed by Mr. Jones of North Reading) congratulating Chief of Police Henry J. Purnell for his forty-one years of dedicated service to North Reading;

Keep Kids Alive Drive 25 Day.

Resolutions (filed by Mr. Barrows of Mansfield) recognizing May 1st as "Keep Kids Alive Drive 25 Day" in Foxborough;

June Black.

Resolutions (filed by Mrs. Campbell of Methuen) congratulating June Black on the occasion of being awarded the 2007 Congressman John Joseph Moakley Award for exemplary public service; and

Thomas G. O'Brien.

Resolutions (filed by Representatives Rice of Gardner and Gobi of Spencer) congratulating Thomas G. O'Brien and the success of "Johnny O" Night in the fight against ALS;

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

Petitions.

Ms. Khan of Newton presented a petition (accompanied by bill, House, No. 3992) of Kay Khan and others (with the approval of the mayor and board of aldermen) that certain resident aliens of the city of Newton be authorized to vote in local elections of said city; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence. Newton,—
voting.

Mr. Ross of Wrentham presented a petition (subject to Joint Rule 12) of Richard J. Ross for legislation to establish a sick leave bank for Thomas A. Connolly, an employees of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules. Thomas A.
Connolly,—
sick leave.

Reports of Committees on Proposals for Legislative Amendments to the Constitution.

By Mr. Bradley of Hingham, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 23) of Richard T. Moore for a legislative amendment to the Constitution relative to emergency appointments of elected officials,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 23), ought to pass [Senator Creedon dissenting]. Elected
officials.

By the same member, for the same committee, on the joint petition (accompanied by proposal, House, No. 664) of Jay R. Kaufman and others for a legislative amendment to the Constitution relative to a vacancy in the office of Governor or Lieutenant-Governor,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 664), ought to pass [Senator Creedon dissenting]. Executive
vacancies.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on the joint petition (accompanied by proposal, House, No. 1497) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution prohibiting eminent domain takings for the purpose of economic development,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 1497), ought to pass. Eminent
domain,—
private
property.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 1771) of Martha M. Walz and others for a legislative amendment to the Constitution relative to eminent domain takings,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 1771), ought to pass. Id.

The reports were severally read and placed on file, in accordance with the requirements of said rule.

By Mrs. Haddad of Somerset, for the committee on Education, on the petition (accompanied by proposal, Senate, No. 20) of Charles Ormsby for a legislative amendment to the Constitution relative to state aid to private institutions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 20), ought NOT to pass. Constitution,—
state aid.

General
Court,—
term
increase.

By Mr. Bradley of Hingham, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 21) of Richard T. Moore and Cleon H. Turner for a legislative amendment to the Constitution to increase the term of the General Court from two to four years,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 21), ought NOT to pass [Senator Spilka and Representatives Atsalis of Barnstable and Rogeness of Longmeadow dissenting].

Redistricting,—
commission.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 22) of Richard T. Moore, Susan C. Tucker, Pamela P. Resor, Karen E. Spilka and other members of the General Court for a legislative amendment to the Constitution establishing an independent redistricting commission and criteria for redistricting for state House, Senate, and Councillor districts,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 22), ought NOT to pass [Senators Augustus, Spilka and Brown and Representatives Eldridge of Acton, Rogeness of Longmeadow and Frost of Auburn dissenting].

Ballot
questions.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 24) of Stanley C. Rosenberg for a legislative amendment to the Constitution promoting the representative character of ballot questions,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 24), ought NOT to pass.

Constitutional
officers.

By the same member, for the same committee, on the petition (accompanied by proposal, Senate, No. 25) of Richard R. Tisei, Bruce E. Tarr, Michael R. Knapik, Robert L. Hedlund, and other members of the General Court for a legislative amendment to the Constitution relative to Constitutional officers,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 25), ought NOT to pass [Senator Brown and Representatives Rogeness of Longmeadow and Frost of Auburn dissenting].

Constitution,—
redistricting.

By the same member, for the same committee, on the joint petition (accompanied by proposal, House, No. 661) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution establishing an independent redistricting commission and criteria for redistricting for state house of representatives, senate, and councilor districts,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 661), ought NOT to pass [Senators Augustus, Spilka and Brown and Representatives Eldridge of Acton, Rogeness of Longmeadow and Frost of Auburn dissenting].

General
Court,—
terms.

By the same member, for the same committee, on the petition (accompanied by proposal, House, No. 685) of George N. Peterson, Jr., for a legislative amendment to the Constitution to change the length of term for Representatives and Senators from two years to four years,— reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 685), ought NOT to pass [Senator Spilka and Representatives Atsalis of Barnstable and Rogeness of Longmeadow dissenting].

The reports were severally read and placed on file, in accordance with the requirements of said rule.

Under the provisions of Joint Rule 23, the following proposals were placed on file, the time within which the said committees were required to report having expired:—

Of the committee on the Judiciary, ought NOT to pass (under Joint Rule 23):

On the petition (accompanied by proposal, Senate, No. 26) of Cynthia S. Creem, Ruth B. Balsler, Edward M. Augustus, Jr., James E. Timilty and other members of the General Court for a legislative amendment to the Constitution to preserve civil rights and equal protection; Civil rights.

On the petition (accompanied by proposal, Senate, No. 27) of Stanley C. Rosenberg for a legislative amendment to the Constitution relative to legislative action on proposed Constitutional amendments; Constitution,— legislative action.

On the petition (accompanied by proposal, House, No. 1368) of Jim Thivierge for a legislative amendment to the Constitution to provide for a minimum standard for charter revisions; Charter revisions.

On the petition (accompanied by proposal, House, No. 1705) of Richard J. Ross and others for a legislative amendment to the Constitution relative to eminent domain; Eminent domain.

On the petition (accompanied by proposal, House, No. 1727) of Theodore C. Speliotis and Christopher J. Donelan for a legislative amendment to the Constitution relative to legislative action on initiative amendments; Initiative amendments,— action.

On the petition (accompanied by proposal, House, No. 1772) of Alice K. Wolf and others for a legislative amendment to the Constitution relative to initiative petitions; Constitution,— initiative petitions.

On the petition (accompanied by proposal, House, No. 3878) of Douglas W. Petersen for a legislative amendment to the Constitution relative to civil and legal rights; Civil rights.

Of the committee on Revenue, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 3059) of Matthew C. Patrick for a legislative amendment to the Constitution instituting a tax on income for the support public schools; and Constitution,— school tax.

Of the committee on Joint Ways and Means, ought NOT to pass (under Joint Rule 23), on the joint petition (accompanied by proposal, House, No. 3834) of Bradley H. Jones, Jr., and others for a legislative amendment to the Constitution providing for a two year budget process for the Commonwealth. Budget process,— biannual.

Emergency Measures.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to grant access to its sewer system to a certain property in the town of Sharon (see Senate, No. 2212), 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. Walpole, Sharon,— MWRA.

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 7 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Walpole and
Foxborough,—
MWRA sewer.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to grant access to its sewer system to a certain property in the town of Foxborough (see Senate, No. 2213), 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 8 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 Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At seventeen minutes after eleven o'clock, on motion of Mr. Smith of Everett (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before twelve o'clock noon; and at two minutes before twelve o'clock the House was called to order with Mr. Donato in the Chair.

Order.

On motion of Mr. DiMasi of Boston,—

Next
sitting.

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

At one minute before twelve o'clock noon, on motion of Mr. Peterson of Grafton, (Mr. Donato of Medford being the Chair) the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.