

Thursday, May 24, 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:

Eternal God, we take a moment for personal reflection and to offer a prayer to You with open hearts and minds. We believe that You are personally interested in our total well-being and give meaning, purpose and direction to our lives. You are Our Creator. On this Memorial Day weekend, we remember in our prayers and thoughts all the women and men who have died in the service of this country. We are grateful to them for their sacrifices and example of patriotism. May we use, in a constructive manner, the gifts, talents and freedoms which You have bestowed upon us and have been protected by the commitment of the members of the armed forces throughout our history.

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

Appointment to the Dairy Farm Revitalization Task Force.

The Minority Leader announced his appointment (under Section 17 of Chapter 42 of the Acts of 2007) of Representative Lewis G. Evangelidis of Holden to the Dairy Farm Revitalization Task Force.

Resolutions.

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

Resolutions (filed by Mr. Bradley of Hingham) congratulating the New North Church on its bicentennial celebration;

Resolutions (filed by Ms. Callahan of Sutton) observing Myasthenia Gravis Awareness Month;

Resolutions (filed by Mrs. Creedon of Brockton and other members of the House) congratulating the Disabled Persons Protection Commission on the occasion of their twentieth anniversary;

Resolutions (filed by Messrs. Guyer of Dalton, Bosley of North Adams, Pignatelli of Lenox and Speranzo of Pittsfield) on the seventy-fifth anniversary of the Jacob's Pillow Dance Festival;

Resolutions (filed by Mr. Kafka of Stoughton) on the retirement of Dr. Claire Jackson;

Resolutions (filed by Ms. Khan of Newton) congratulating Miriam Genuth on receiving the Gold Award of the Girl Scouts of America;

Resolutions (filed by Mr. Nyman of Hanover) recognizing the Hanover Hunt and Riding Club Day, June 9, 2007;

Ian Wright
Cronin.

Resolutions (filed by Mr. Ross of Wrentham) congratulating Ian Wright Cronin of Norfolk upon his elevation to the rank of Eagle Scout; and

Diane Marie
Masiello.

Resolutions (filed by Mr. Walsh of Boston) congratulating Diane Marie Masiello on the occasion of her many accomplishments;

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

Petitions.

Petitions severally were presented and referred as follows:

Whitman,—
Public Works.

By Mr. McCarthy of East Bridgewater, petition (accompanied by bill, House, No. 4044) of Allen J. McCarthy (by vote of the town) for legislation to increase the membership of the board of Public Works in the town of Whitman; and

Whitman,—
civil engineer.

By the same member, petition (accompanied by bill, House, No. 4045) of Allen J. McCarthy (by vote of the town) for legislation to eliminate the requirement that a member of the board of public works in the town of Whitman be a civil engineer;

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Public health,—
emergencies.

By Mr. Koutoujian of Waltham, petition (subject to Joint Rule 12) of Peter J. Koutoujian for legislation to establish a certain fund for the remediation of public health emergencies in the Commonwealth.

Fire fighters,—
re-employment.

By Mr. Kujawski of Webster, petition (subject to Joint Rule 12) of Paul Kujawski relative to the re-employment of certain retired fire fighters as training instructors by the Department of Fire Services.

Underground
petroleum,—
cleanup fund.

By Mr. Peterson of Grafton, petition (subject to Joint Rule 12) of George N. Peterson, Jr., for legislation to establish an underground storage tank petroleum product cleanup fund.

Cosmetolo-
gists,—
penalties.

By Mr. Smizik of Brookline, petition (subject to Joint Rule 12) of Frank I. Smizik relative to increasing the civil administrative penalties for certain violations by licensees of professions and occupations under the supervision of the Division of Professional Licensure.

Health care,—
surcharges.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee relative to the definition of certain surcharges in the law granting access to quality and affordable health care to residents of the Commonwealth.

Controlled
substances.

By Mr. Wallace of Boston, petition (subject to Joint Rule 12) of Brian P. Wallace for legislation to include certain ingredients extracted from vegetables under the controlled substances law.

John E.
Dwyer,—
creditable
service.

By Mr. Webster of Hanson, petition (subject to Joint Rule 12) of Daniel K. Webster that the Teachers' Retirement Board be directed to credit John E. Dwyer for certain service as an employee of the Paul A. Dever State School.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relative to the Salem State College Assistance Corporation (Senate, No. 2242) new draft of Senate, 715, passed to be engrossed by the Senate, was read; and, under suspension of the rules, on motion of Mr. Rodrigues of Westport, it was referred, on further motion of the same member, to the committee on Rules.

Salem State
College
Assistance
Corporation.

A petition (accompanied by bill, Senate, No. 2238) of Stanley C. Rosenberg and Peter V. Kocot (by vote of the town) for legislation relative to the Department of Public Works in the town of Hatfield, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Hatfield,—
Public Works.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2239) of Harriette L. Chandler, Lewis G. Evangelidis, Stephen M. Brewer, Harold P. Naughton, Jr. and other members of the General Court for legislation to authorize the Wachusett Regional School District to borrow money for the cleanup of oil contamination and related costs. To the committee on Education.

Wachusett
Regional
School,—
oil cleanup.

Petition (accompanied by bill, Senate, No. 2243) of Cynthia S. Creem for legislation relative to voter registration. To the committee on Election Laws.

Voter
registration.

Petition (accompanied by bill, Senate, No. 2244) of Richard T. Moore, Stephen M. Brewer, Todd M. Smola, Geraldo Alicea and other members of the General Court for legislation to revise the composition and duties of the Quinebaug and Shetucket Rivers Valley Heritage District and Commission. To the committee on Environment, Natural Resources and Agriculture.

Quinebaug
and Shetucket
Rivers.

Petition (accompanied by resolve, Senate, No. 2245) of Benjamin B. Downing, Brian A. Joyce, James E. Timilty, Denise Provost and other members of the General Court for legislation to provide for an investigation and study by a special commission relative to the recruitment and retention of college graduates and skilled workers for the Commonwealth's workforce. To the committee on Labor and Workforce Development.

Commonwealth's
workforce,—
study.

Petition (accompanied by bill, Senate, No. 2246) of Richard T. Moore and Jennifer M. Callahan for legislation relative to the use of certain bonds by the Blackstone Millville Regional School District. To the committee on Municipalities and Regional Government.

Blackstone
Millville
Regional
School
District.

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:

Petition (accompanied by bill) of Eugene L. O'Flaherty others for legislation to designate the womens' dormitory at the Soldiers' Home of Chelsea as the Christie Serino Ward Area. To the committee on Environment, Natural Resources and Agriculture.

Chelsea,—
Christie
Serino
Ward.

Insolvency,—
protection.

Petition (accompanied by bill) of Cleon H. Turner and Susan Williams Gifford relative to the powers and duties of the Insurers Insolvency Fund concerning claims under workers' compensation policies. To the committee on Financial Services.

Drug dealing,—
hearings.

Petition (accompanied by bill) of Antonio F. D. Cabral and others for legislation to require dangerous hearings for criminals charged in certain illegal drug transactions. To the committee on the Judiciary.

Blackstone
School
District,—
bonds.

Petition (accompanied by bill) of Jennifer M. Callahan and Richard T. Moore that the Blackstone-Millville Regional School District be authorized to use proceeds from certain bonds for repairs and construction at the high school of said district. To the committee on Municipalities and Regional Government.

Diane Godin,—
sick leave.

Petition (accompanied by bill) of Jennifer M. Callahan that the Department of Mental Retardation be authorized to establish a sick leave bank for Diane Godin, an employee of said department. To the committee on Public Service.

Real estate,—
taxation.

Petition (accompanied by bill) of James R. Miceli relative to the taxation of certain buildings and property improvements. To the committee on Revenue.

Poet laureate,—
designation.

Petition (accompanied by bill) of Anne M. Gobi for legislation to provide for the appointment of a poet laureate of the Commonwealth. To the committee on Tourism, Arts and Cultural Development.

Private roads,—
maintenance.

Petition (accompanied by bill) of Cleon H. Turner for legislation to further regulate the maintenance of roads, bridges, beaches and other common areas in private subdivisions. To the committee on Transportation.

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

By Ms. Balsler of Newton, for the committee on Mental Health and Substance Abuse, asking to be discharged from further consideration

Behavior
modification.

Of the petition (accompanied by resolve, Senate, No. 1122) of Brian A. Joyce, John W. Scibak, Barbara A. L'Italien, Jarrett T. Barrios and other members of the General Court resolve to create a special commission on behavior modification;

Behavioral
treatment
interventions.

Of the petition (accompanied by bill, Senate, No. 1123) of Brian A. Joyce, John W. Scibak, Barbara A. L'Italien, Jarrett T. Barrios and other members of the General Court for legislation creating and authorizing level IV behavioral treatment interventions;

Behavior
analysts.

Of the petition (accompanied by bill, Senate, No. 1124) of Brian A. Joyce, John W. Scibak, Barbara A. L'Italien, Jarrett T. Barrios, and other members of the General Court for legislation relative to behavior analysts; and

Mental
retardation,—
treatment.

Of the joint petition (accompanied by bill, House, No. 1904) of John W. Scibak and others that the Department of Mental Retardation be authorized to establish Level IV behavioral treatment interventions;

And recommending that the same severally be referred to the committee on Children, Families and Persons with Disabilities.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill exempting the position of superintendent of police in the city of Lowell from the civil service law (Senate, No. 2161) be scheduled for consideration by the House. Lowell,—
civil service
law.

Under suspension of Rule 7A, on motion of Mr. Casey of Winchester, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Story of Amherst, 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, in concurrence.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to certain real property in the city of Northampton (House, No. 3975) be scheduled for consideration by the House. Northampton,—
property.

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mrs. Haddad of Somerset, for the committee on Education, on a petition, a Resolve reviving and continuing the special commission on middle education in the Commonwealth (House, No. 3775). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Middle
education
commission.

By Mr. Correia of Fall River, for the committee on Elder Affairs, on a petition, a Bill requiring protective services for abused elderly (House, No. 604). Elderly,—
abuse
protection.

By Mr. Mariano of Quincy, for the committee on Financial Services, on House, No. 1028, a Bill relative to the supervision of the mortgage industry (House, No. 4047). Mortgage
industry.

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

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on House, No. 2532, a Bill authorizing the town of Burlington to issue eight additional licenses for the sale of all alcoholic beverages to be drunk on the premises, and two additional licenses for the sale of wine and malt beverages to be drunk on the premises (House, No. 4048) [Local Approval Received]. Burlington,—
alcoholic
beverage
licenses.

By the same member, for the same committee, on House, No. 3944, a Bill authorizing the town of Westboro to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4049) [Local Approval Received]. Westboro,—
alcoholic
beverage
license.

By Mr. Correia of Fall River, for the committee on Elder Affairs, on the joint petition, a Bill authorizing the establishment of senior citizen safety zones (House, No. 623). Seniors,—
safety
zones.

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

Orders of the Day.

Third reading bill.

The Senate Bill establishing a sick leave bank for Yaniris Cabrera, an employee of the Trial Court (Senate, No. 2181, amended), 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, in concurrence. Sent to the Senate for concurrence in the amendment previously adopted by the House.

Id.

The Senate Bill establishing a sick leave bank for Jacqueline C. Russo, an employee of the Department of Housing and Community Development (Senate, No. 1614), 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, in concurrence.

House bills

Third reading bills.

Establishing the Rehoboth agricultural and natural resources preservation council (House, No. 2032); and

Relative to certain land in the town of Provincetown (House, No. 3754) (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. Severally sent to the Senate for concurrence.

Norwood,—land.

The House Bill authorizing the town of Norwood to convey certain park land (House, No. 3753), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Golden of Lowell moved to amend it in section 1 by adding the following paragraph:

“Notwithstanding section 33 of chapter 92 of the General Laws or any other general or special law to the contrary, the department of conservation and recreation shall enter into a 99 year lease for the consideration of \$1 per year with Lowell general hospital for the premises at 190 Varnum avenue in the city of Lowell; provided, however, that said lease shall be executed 30 days after the effective date of this act.”; and by striking out the title and inserting in place thereof the following title: “An Act authorizing the conveyance of certain parcels of land.”

The amendments were adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 3753, amended) then was sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Next sitting.

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

THURSDAY, MAY 24, 2007.

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At twenty-five minutes before twelve o'clock noon, on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.